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Forty-seventh session
Agenda item 12(a)

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

QUESTION OF HUMAN RIGHTS IN CYPRUS

Letter dated 27 February 1991 from the Permanent Representative of the Republic of Cyprus to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights

I have the honour to refer to the letter addressed to you by the Turkish Representative, dated 25 February 1991, and enclose a note with comments on the Turkish allegations together with an annex on the human rights violations by Turkey in Cyprus.

At the same time I would like to draw your attention to the unacceptable reference of the Turkish Permanent Representative to "the people of the Turkish Republic of Northern Cyprus". This constitutes an affront against the United Nations and a contemptuous disregard of the Security Council mandatory resolutions on Cyprus which have condemned in very strong and clear terms the purported secession of part of the territory of the Republic of Cyprus and rejected the demands of Turkey about "two peoples in Cyprus", uttered in furtherance of its long-ago declared policy of partitioning Cyprus, against international law and the Constitution of the Republic.

I should be grateful if my letter and its enclosures were circulated as a document of the Commission on Human Rights under item 12(a).

(Signed): Vanias Markides
Ambassador

GE.91-11687/2965B

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Comments on the Turkish allegations contained in the information note submitted by Turkey on 25 February 1991

The Turkish allegations constitute a well-known and calculated attempt by Turkey to divert world attention from the massive, grave and systematic violations of human rights and fundamental freedoms committed by Turkey in Cyprus since her 1974 invasion and continued occupation of 37 per cent of the territory of the Republic of Cyprus, as well as before this period, in order to promote her plan to partition the Republic.

The Turkish allegations should be viewed in the light of the long-ago declared policy of Turkey for partitioning Cyprus as a means for expansion.

The following statements of Turkish officials throughout the last decades are eloquent.

In 1954 the then Turkish Minister of Foreign Affairs, Mr. F. Koprulu, stated that: "Cyprus is an extension of mainland Turkey" and that "it should be given back to Turkey on the basis of geographic proximity". And at the Tripartite Conference on Cyprus in August-September 1955, the then Turkish Foreign Minister Mr. Zorlu stated: "... The importance of Cyprus for Turkey is not due to only one reason. It is a necessity that arises from historic commands, geography, economy and military strategy, from the right to existence and security, which is the most sacred right of every State, in short, from the very nature of things". "Turkey must impose by all means a power policy in the Aegean ... Turkey is expanding and is no longer the Turkey of the period of the Treaty of Lausanne." This is what the then Turkish Foreign Minister, Mr. Esembel, told Cumhuriyet newspaper on 19 January 1975.

In 1980, Mr. Gunnes, the Foreign Minister of Turkey at the time of the invasion, stated: "Cyprus is as valuable as the right hand of a country which cares for its defence or its expansionist goals, if any. If we do not keep in mind this strategic importance of Cyprus, we cannot understand the peace operation of 20 July or, rather it is impossible to understand the whole Cyprus crisis ... Many countries, up to a point and because this serves their interests, like to view the Cyprus problem merely as the result of our wish to protect the Turkish community of the island. While the real problem is the security of the 45 million Turks of the homeland and of the Turks of Cyprus together with the maintenance of the equilibrium in the Middle East" (Hurriyet, 20 July 1980).

Mr. Ozal, the President of Turkey, referring to the illegal unilateral declaration of the pseudo-State in the occupied area of Cyprus stated: "Cyprus is an island that pierces Turkey in the middle like a dagger. It is extremely vital from the point of view of our security. This island must not be in enemy hands. The existence of the Turks in Northern Cyprus is a guarantee in this connection" (Milliyet, 23 July 1983).

Thus Turkey, using geopolitical arguments, serving geopolitical expediencies and with evident expansionist designs, confessed its goal to occupy Cyprus and thus the true aim of the 1974 invasion against Cyprus.

I. Allegation that "the Greek Cypriots destroyed the whole basis of the existence of the Republic of Cyprus and denied vested rights to Turkish Cypriots"

This allegation is repudiated by the resolutions of the United Nations Security Council and the General Assembly adopted since 1964, which reaffirm the sovereignty, independence and territorial integrity of the Republic of Cyprus and call upon all Member States to refrain from any action which might infringe upon it.

In fact, efforts to destroy the whole basis of the existence of the Republic of Cyprus have been carried out by Turkey since the Republic's establishment and culminated in the 1974 Turkish invasion against Cyprus, in utter disregard and in violation of all the norms and principles of international law and in particular Article 2, Section 4, of the Charter of the United Nations which provides: "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in other manner inconsistent with the purposes of the United Nations."

In 1963, upon instructions from Ankara, the Turkish Cypriots withdrew from organs of the Republic in accordance with a premeditated plan to promote partition. The then Vice-President, Dr. Kutchuk, rushed to state that: "the 1960 Constitution was dead". Not only were the Turkish Cypriots forced to withdraw from Government but, on the contrary, they were strongly encouraged by the Cyprus Government to stay and continue to exercise their functions. Indicative of this is the fact that the Agenda of the Council of Ministers was sent to the Turkish Cypriot Ministers for several months after 1963. The Turkish Cypriot members of the Judiciary, despite "orders" from the Turkish Cypriot leadership, opted to stay and perform their functions. They withdrew years later when the were illegally imprisoned by the Turkish Cypriot leadership.

That Turkey's aim has always been the destruction of the Republic and the promotion of a "solution" based on geographical separation is evidenced by several reports by the Secretary-General of the United Nations to the Security Council:

"The lack of movement of Turkish Cypriots outside their areas is also believed to be directed by a political purpose, namely to reinforce the claim that the two main communities of Cyprus cannot live peacefully together in the island without some sort of geographical separation" (S/5764, para. 113).

"The Turkish Cypriot leaders continue to exercise effective control over the free movement of members of their community ... It is reported that Turkish Cypriots are likely to find themselves in serious difficulty with members of their own community if they fail to confine contacts with their Greek Cypriot compatriots to a strict minimum" (para. 115 of the Secretary-General's Report of 10 June 1965).

"... The Turkish Cypriot leadership continues to discourage or to prevent members of their own community from moving beyond the limits of the enclaves ..." (para. 96 of the Secretary-General's Report of 10 June 1966).

The allegation about the oppression of the Turkish Cypriots during the period 1963-1974 is again part of the same Turkish policy of segregation and partition which was promoted and implemented by the extremist and separatist elements of the Turkish Cypriot leadership.

The Turkish Cypriots did indeed suffer during those years but their suffering was imposed upon them by the Turkish side which prevented them from exercising their basic human rights. There is irrefutable evidence to this effect.

(a) Alleged "restriction of freedom of movement"

That the Turkish side was responsible for such restriction is corroborated by the reports of the Secretary-General to the Security Council, which are quoted above, as well as by the following extracts, which also reveal the real aims behind such policy.

"The Turkish Cypriots continue rigidly to deny freedom of movement to Greek cypriots in the Turkish Cypriot sector of Nicosia and in the enclave to the north of the city" (para. 112, S/6426, 10 June 1965).

"Except in rare and special cases, the Turkish Cypriot leadership denies entry into areas under its control to all Greek Cypriots, whether government officials or private individuals. This ban appears to be enforced as a matter of political principle with little attempt at justification on practical grounds, and, with the exception of the Kyrenia Road convoy and Limnitis (para. 118), entry is usually firmly denied even where Greek Cypriots would be escorted by United Nations Peace-keeping Force in Cyprus personnel and security factors could not possibly be at stake.

"... But the Turkish Cypriot leadership does not favour the return of refugees - Turkish Cypriots - to their homes and deters them from going back to their villages on the grounds that the basic political problems must be solved ..." (paras. 109 and 139 from the Secretary-General's Report No. S/7611, 8 December 1966).

"... Whereas Turkish Cypriots may move freely throughout the Island except in a few militarily restricted areas, access to Turkish Cypriot enclaves, a number of Turkish Cypriot villages and certain roads continues to be denied to Greek Cypriots ... the Turkish Cypriots have enjoyed full freedom of movement over the whole Island whilst the Greek Cypriots are still prevented from using some of the Republic's main roads" (para. 55 from the Secretary-General's Report No. S/9233, 3 June 1969).

"In the matter of freedom of movement there has regrettably been no major change. The Government has continued to express serious concern at the lack of free access by Greek Cypriots to Turkish Cypriot-controlled areas. Besides the Turkish Cypriot 'enclaves' a number of Turkish Cypriot villages and public trunk roads remain closed to Greek Cypriots although Turkish Cypriots have been moving freely throughout the Island for nearly two years except in militarily restricted areas" (para. 54, S/9521, 3 December 1969).

"Again it is regretted that there has been no improvement on the problem of freedom of movement (S/10005, para. 85). The Government has repeatedly

expressed its disapproval of the policy of the Turkish Cypriot leadership in denying to Greek Cypriots the use of a number of major public roads. Complaints are also still being received from areas where Greek Cypriot farmers are being denied access to fields which lie in Turkish Cypriot-controlled areas, particularly in the Chatos/Lefkoniko region. The Turkish Cypriot leadership has made it clear that its position on the question of freedom of movement remains unchanged ..." (para. 57, S/10199, 20 May 1971).

The same policy of segregation in order to further the partition of the Republic of Cyprus continues to be carried out by Turkey to date. It is being pursued through the denial of the freedom of movement of the Turkish Cypriots as well as the denial of the freedom of movement of the Greek Cypriots and of the refugees to return to their homes in the occupied area, in utter disregard of the express provisions of the United Nations resolutions on Cyprus.

(b) Allegation of "Denial of postal services"

As evidenced from the above statements, Turkey's aim has been the geographical separation as a prelude to political partition. Therefore, the Government of Cyprus could not allow the establishment of an illegal postal authority which would undermine the authority of the internationally recognized Government of Cyprus (see Security Council resolution 186/1964). However, as freedom of movement was not allowed by the Turkish side, mail was sent, as it is now sent, to Turkish Cypriots through the United Nations Peace-keeping Force in Cyprus.

(c) Allegation of "Economic restrictions - restrictions of the economic life of the 'north'"

This allegation is also repudiated by the reports of the Secretary-General quoted above.

It is by now clear what really lies behind the Turkish allegations: to conceal her own expansionist intentions against Cyprus.

II. Allegation about the "Exercise by the Turkish Cypriots of the right to self-determination in 1983"

The illegal State proclaimed in 1983 in the occupied area of the Republic of Cyprus was condemned by Security Council resolutions 541/1983 and 550/1984, as well as by all subsequent Security Council resolutions, which declare the pseudo-State in the occupied area as legally invalid, call for its withdrawal and upon all States not to recognize it and not to facilitate or in any way assist it.

III. Allegation about "a ruthless campaign of deceit - hence, one-sided resolutions"

The alleged "deceit" of the international community led to the adoption, inter alia, of 77 Security Council resolutions - 29 before and 48 after the Turkish invasion - all containing substantial provisions. They remain unimplemented by Turkey, the only country which has not been deceived by the Security Council. The resolutions of the Commission on Human Rights have the same fate.

The true situation in Cyprus since the 1974 Turkish invasion is the continued occupation of 37 per cent of the territory of the Republic of Cyprus and the massive, grave and systematic violations by Turkey of the human rights and fundamental freedoms of the people of Cyprus, in breach of the purposes and principles of the Charter of the United Nations and the numerous United Nations resolutions on Cyprus, including those of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

The continuing human rights violations by Turkey in Cyprus are summarized in the Annex to this note.

IV. Allegation that since 1974 the Government of the Republic of Cyprus "is imposing economic and other restrictions to the Turkish occupied area of Cyprus"

The true situation is as follows: after the Turkish invasion against Cyprus, which resulted in the illegal seizure by Turkey of 70 per cent of the economic resources of the island, leaving 82 per cent of the population with the remaining 30 per cent of the economic resources and a huge refugee problem, the Cyprus Government had to take measures in order to protect the properties of the Greek Cypriot refugees situated in the occupied area - their livelihood, homes, assets, businesses, hotels, industries, etc. - which have been usurped and illegally exploited by the Turkish occupation forces. All the restrictions - political, economic, commercial - referred to by Turkey are a direct result of the illegal military Turkish occupation of part of the territory of the Republic of Cyprus and the non-recognition by the international community of the pseudo-State set up by Turkey illegally in the occupied area. More specifically the Security Council by its resolution 550/84 "calls upon all Member States not to facilitate or in any way assist the aforesaid secessionist entity".

As regards international assistance it has been the consistent policy of the Government of Cyprus to utilize it for the benefit of the population of Cyprus as a whole. Despite the said continued occupation of part of Cyprus, the policies that are being followed ensure that Turkish Cypriots benefit from external assistance to Cyprus. It is worth mentioning that Turkish Cypriots are supplied with free electricity from the Cyprus Government, enjoy free water supply and various other subsidies. The Turkish Cypriot community has also since 1974 received its proper share from foreign aid, through the United Nations High Commissioner for Refugees and the Red Cross; it enjoys, through the Cyprus Government, United Nations technical assistance; Turkish Cypriots participate in development projects, and receive numerous services including medical services. Turkish Cypriots are given scholarships and fellowships granted to the Cyprus Government by other Governments and international organizations.

In conclusion the Commission's attention is drawn to the failure of Turkey to complain of the alleged violations to the European Commission on Human Rights of the Council of Europe, while both Cyprus and Turkey were members of the Council at the time of the said violations and therefore Turkey could have its "allegations" verified by one of the most prestigious human rights bodies. Instead it chose to make public statements and avoid the scrutiny of a judicial, non-political body.

What is more, Turkey could have co-operated with the Commission during the three applications brought by the Republic of Cyprus against Turkey for violations of human rights committed by Turkey in Cyprus and put forward its own above allegations in accordance with the appropriate procedure. It has even been suggested to Turkey not to oppose a fourth application by Cyprus to the European Human Rights Commission and repose its trust in the decision of the Commission as regards the human rights situation in Cyprus.

The Minister of Foreign Affairs of the Republic of Cyprus has on several occasions challenged Turkey to accept the compulsory jurisdiction of the International Court of Justice in order to submit any allegations there. He even invited Turkey for a joint application for an advisory opinion from the International Court. But there has been no response so far.

ANNEX

Human rights violations by Turkey

Continuing breaches

The Cyprus problem is a clear case of massive, grave and systematic violations of human rights and fundamental freedoms by Turkey, in breach of the purposes and principles of the Charter and the provisions of numerous resolutions of the United Nations, including those of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

The continuing violations of human rights by Turkey in Cyprus can be summarized along the following basic categories:

1. Displacement of persons

Turkey continues to refuse to allow nearly 200,000 Greek Cypriot refugees, forcibly uprooted from their ancestral homes and lands during the Turkish invasion of 1974, to return to their homes in the now occupied area. The occupation army also refuses to allow any displaced Turkish Cypriots to return to their homes in the government controlled area. Commission on Human Rights resolution 1987/50 of 11 March 1987 "Reiterated", inter alia, "its previous calls for the full restoration of all human rights to the population of Cyprus in particular to the refugees". It should also be recalled that all relevant General Assembly resolutions call for the institution of urgent measures for the voluntary return of the refugees to their homes in safety. General Assembly resolution 3212 (XXIX), which was subsequently endorsed by the Security Council as resolution 365 (1974) on 13 December 1974, thus rendered mandatory, considers that "all refugees should return to their homes in safety" and "calls upon the parties concerned to undertake urgent measures to that end".

Sixteen years have elapsed since then and Turkey arrogantly refuses to implement the relevant resolutions that would enable the refugees to return to their homes and lands. The 35,000 strong Turkish army continues to occupy 40 per cent of the Cyprus territory and forcefully prevents any movement of Greek Cypriots to the occupied areas, let alone any return to their lands.

2. Deprivation of homes and properties

In May 1985 the illegal régime in the Turkish-occupied area purported to introduce a "Constitution", in article 159 of which it expropriated all immovable property belonging to Greek Cypriots displaced by Turkey, much of this property being distributed to illegal Turkish settlers and the Turkish army. On 17 March 1989 the so-called "House of Representatives" of the illegal régime proceeded to a new illegality and enacted an amending "Law" No. 12/1989 on "Housing, Distribution of Land and Property of Equal Value". Based on this "law" definite titles are going to be distributed for properties belonging to the expelled Greek Cypriots. More recently a new amending "law" provided for the distribution of Greek Cypriot properties and title deeds to Turkish settlers who were brought illegally to the occupied part of Cyprus.

Turkey flagrantly violates the basic human rights and fundamental freedoms of the Greek Cypriots embodied in the Universal Declaration [Article 17 (1): "Everyone has the right to own property alone as well as in association with others, and (2) No one shall be arbitrarily deprived of his property"], as well as the European Convention of Human Rights and other major international Conventions in the field of human rights. The Greek Cypriots who were forcibly expelled from their homes continue to be arbitrarily deprived of their properties in the occupied areas, which are being illegally distributed by the Turkish occupation forces along with the issuing of title deeds to persons other than their legal owners, including Turkish settlers.

3. Turkish settlers

Turkey continues unabated its policy of importing Anatolian settlers from the mainland to the occupied areas. These settlers are brought in either as tourists or seasonal workers and are given the so-called citizenship of the illegal State. It is estimated that the settlers now well exceed 65,000 and according to Turkish Cypriot opposition reports and analysis of available data, they may have reached 80,000. It should be reminded in this respect that Mr. Denktash himself, in an interview in the Spanish paper El Pais on 20 June 1988, admitted that the Turkish settlers were between 45,000 to 50,000. The other tragic aspect of the demographic situation in the occupied areas is the fact that the Turkish Cypriots continue to emigrate abroad because of increasing unemployment and violations of their human rights and basic freedoms. It is estimated that since 1974 over 30,000 have left the island. The above figures show that settlers now form a major proportion of the population of the occupied area (nearly 80,000 in a population of 170,000) significant enough to play a decisive role in the political and economic activity of those areas, while at the same time serving the objectives of Turkey's settler policy which can be summarized as follows:

(1) To distort the population balance on the island between Turkish speakers and Greek Cypriots, with a view to justifying the disproportionately large claims of the Turkish side with respect to land and political power.

(2) To maintain a body of people in the occupied part of Cyprus that can hold the balance of political power and ensure that the Turkish Cypriot leadership is kept in line with Turkey's policies and objectives.

(3) To present an obstacle to the solution of the Cyprus problem.

(4) To provide additional trained reserves in Cyprus for the Turkish military forces in Cyprus (now reaching 35,000).

(5) To change the demographic composition of the population so that Turkish speakers outnumber the Greek Cypriots. (According to the last official census of the Republic of Cyprus prior to the Turkish invasion, the Turkish Cypriots formed only 18.1 per cent of the population.)

Apart from Turkish mainland settlers Turkey has, since last year, also encouraged Bulgarian Muslims to settle in the occupied part of Cyprus. Several families arrived there and were given "citizenship" of the illegal State. Despite our strong representations for such provocative and illegal actions,

Turkey insists in its policy of gradual settlement of the occupied areas with Bulgarian Muslims and Turkish settlers in pursuance of its overall aim of altering the demographic structure of Cyprus and Turkifying the occupied areas.

By the massive importation of settlers, the Turkish Cypriots' human rights are also being systematically violated and their political decisions adulterated. Such mainland settlers have been:

(a) Handed property from which Greek Cypriots have been ejected.

(b) Given work permits and work at cut-price rates thereby causing Turkish Cypriot unemployment and continuing emigration.

(c) Given "citizenship" and "voting rights".

(d) Formed into a settlers' political party under the control of Turkey's legate in the occupied area supporting and holding in power Mr. Denktash and his illegal régime.

4. Recent threats to settle Varosha

Turkey has repeatedly threatened to settle the closed city of Varosha with people other than its inhabitants, instead of returning it to its 35,000 lawful inhabitants the Greek Cypriot refugees of Varosha, as called for in the 1979 High-Level Agreement and resolution 550 (1984) of the Security Council.

In June 1989, Mr. Denktash threatened to settle Varosha with Bulgarian Muslims and even adopted a "decision" of his so-called cabinet to that effect. Following world condemnation of such threats and the active intervention of the EEC Presidency and other countries towards the Government of Turkey, such threats did not materialize.

Last July new attempts were made by the Turkish occupation army to change the status quo of the fenced area, by allegedly handing over control to the illegal régime. Prompt action by the Government of Cyprus and a clear statement of the President of the Security Council on 19 July reiterating resolution 550 (1984) of the Security Council again averted colonization. It is heartening to note that the Secretary-General in his last report to the Security Council (S/21981) of 7 December 1990 reiterates the position expressed in previous reports that "the United Nations considers the Government of Turkey responsible for maintaining the status quo in the fenced area of Varosha".

In addition, on 28 November, in an interview he gave to Agence France-Presse, Mr. Denktash launched new threats to settle Varosha, this time offering the closed city for the settlement of 350 Palestinian students. The Government of Turkey which is considered by the United Nations responsible for the maintenance of the status quo in Varosha, instead of complying with the Security Council demands for the transfer of the area to the administration of the United Nations (resolution 559 (1984)), continues through Mr. Denktash to launch threats for the colonization of Varosha by people other than its lawful inhabitants. On the other hand, three hotels which were occupied in 1986 and settled with students have not yet been evacuated as promised at that time.

Unless there is an immediate implementation of the United Nations resolutions for the return to Varosha of its rightful owners, the danger of colonizing the city with settlers will remain real and immediate.

5. Missing persons

There has been no progress so far as the 1,619 missing persons are concerned. These persons, 993 soldiers and 626 civilians, amongst them 112 women and 26 children under the age of 16, have been missing since the Turkish invasion of Cyprus in 1974 and as a direct consequence of it. Most of these people were arrested by the Turkish soldiers and known to be alive in the occupied area or in detention in Turkey long after the cessation of hostilities.

Despite the adoption of a number of United Nations resolutions and the establishment of a Committee on Missing Persons in 1981, the fate of the 1,619 missing persons has not yet been ascertained and accounted for because of obstacles put forward by the Turkish side and lack of any co-operation on its part. In addition, ways and means must be found to strengthen the Committee on Missing Persons and make investigation of cases more effective. Unfortunately the efforts of the Committee have not yet borne fruit and as a result not a single case before it has been elucidated to this day, primarily because of the restrictive terms of reference. It is to be hoped that the issue of missing persons in Cyprus, a purely humanitarian question, will not be linked to the overall political solution of the Cyprus problem and a satisfactory solution will be found for the families of the missing who have the right to know what happened to their loved ones.

6. Enclaved

Out of the 20,000 Greek Cypriots who were enclaved in the occupied area since 1974, only a few hundred remain now in the Karpas peninsula. This is the result of a sustained campaign of harassment, discrimination and oppression by the occupation forces which led to outright expulsion and gradual deterioration of the living conditions of the enclaved.

Following international outcry and pressure, the Turkish Cypriot side agreed in August 1975 that Greek Cypriots in the occupied area would be free to stay, and that their families could join them. The agreement (known as the Vienna III agreement) also stipulated that the enclaved be given "every help to lead a normal life, including facilities for education and for the practice of their religion", as well as medical care by doctors of their own community".

In flagrant violation of this humanitarian agreement, Mr. Denktash's régime and the Turkish occupation forces continue to apply a racist and inhuman policy against the Greek Cypriot enclaved including:

- Denial of access to medical doctors and educational facilities.

- No Greek Cypriot doctors were allowed to be settled in the area or visit the enclaved on a regular basis.

- No high schools were allowed to operate, resulting in further expulsions and separation of families, the children being forced to pursue their studies in the government-controlled area.

- The two Greek Cypriot primary schools in the Karpas operate under primitive conditions, while censorship of basic textbooks and undue delays in deliveries of books and other educational material further hampers the education of enclaved children.

- The enclaved are restricted to their villages and immediate surroundings.

- They are subject to constant harassment and a number of them fall victims to violent actions.

- The United Nations Peace-Keeping Force which under the agreement should have "free access to Greek Cypriot habitations in the occupied area" has been severely restricted by the régime to perform its responsibilities. The tragedy of the enclaved is part of the wider tragedy of Cyprus. It is a clear case of massive violation of basic human rights and racial discrimination against this group of people in the occupied area, whose only fault is their ethnic origin, their language and religion.

7. Destruction of cultural heritage

The occupying forces continue to plunder and systematically destroy the Cypriot cultural heritage in the occupied parts of the island. Religious property is a particular target in an attempt to destroy the cultural identity of the occupied area. Greek Orthodox churches continue to be converted into mosques, vandalized or turned into cultural centres, clubs, etc. Mosaics and even frescoes are being removed, as well as antiquities smuggled, finding their way via Turkish hands to international dealers. The recent hearing in June 1989 at the Indiana Federal District Court about the four priceless Byzantine mosaics stolen from the Church of Panayia Kanakaria in the Turkish occupied village of Lythrangomi and Judge James Noland's decision sent a clear message to those plundering the cultural heritage of Cyprus:

> "The mosaics are unique. The paramount significance of their existence is a part of the religious, artistic and cultural heritage of the Church and Government of Cyprus and as part of the national unity of the Republic of Cyprus."

Despite such a decision the occupying régime continues its systematic destruction of the cultural heritage of Cyprus. Recently they demolished one of the most important Ancient Monuments of Famagusta District, the Church of the Monastery of Panayia Avgasida, near Aloa village. The church was built as a domehall church in the fourteenth century. Later, in the fifteenth century, two arches of late Gothic form were attached and a chapel. The dome of the church and the soffits of the arches were decorated with wall paintings. An eighteenth century quilted wood-carved iconostasis was standing inside the church. It is more than probable that the Turks have removed the paintings and the iconostasis and then demolished the church. Turkey's destruction of Cyprus' cultural heritage is a challenge to civilization itself because it leads to the impoverishment of the cultural heritage of mankind as a whole.

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IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

Letter dated 4 March 1990 from the Permanent Representative of Singapore to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights

GE. 91-11626

On 5 April 1990 I wrote to Mrs Purificacion Quisumbing, Chairman of the Forty-sixth session of the Commission on Human Rights, giving Singapore's response to the intervention by the representative of Pax Romana on the Bill entitled "Maintenance of Religious Harmony" which was adopted by the Singapore Parliament in 1990. I had requested that my said letter, together with its annexes, be circulated as an official document of the forty-sixth session. I attach a copy of my letter for your reference.

As my letter and its annexes were not circulated, Pax Romana has found it necessary to make another intervention on 28 February 1991 under agenda item 22 of the forty-sixth session on the same subject.

I would be most grateful if urgent arrangement could be made to circulate my letter of 5 April 1990, as well as this letter as an official document of the forty-sixth session under agenda item 22.

Yours sincerely

SEE CHAK MUN
Ambassador/Permanent Representative

" I write concerning the statement by the representative of Pax Romana on 13 February 1990 under item 23 of the forty-sixth session of the Commission on Human Rights. The representative of Pax Romana had stated that the proposed Bill on the Maintenance of Religious Harmony in Singapore would become an "an ominous threat to religious groups in their exercise of real religious freedom."

Rationale for the Bill

2. Pax Romana appears to have misunderstood the purpose of the Maintenance of Religious Harmony Bill proposed by the Singapore Government in a White Paper published in December last year. The objective of the Bill, which has been introduced in Parliament recently, is to maintain religious harmony and public order in Singapore. Religious harmony is vital for our survival as a nation because we are a small country densely populated by people of different races, languages and religions. All the great religions in the world are represented in Singapore - Buddhism, Taoism, Islam, Hinduism, Sikhism, Catholicism and many denominations of Christianity.

3. Although we have had religious freedom and religious harmony over the years, we cannot assume that religious harmony would persist as a matter of course. Conscious efforts are necessary to maintain it, especially by religious leaders and groups. Wether religious harmony can be preserved is a question which arises because of recent developments around the world and in Singapore itself. Many areas of the world are experiencing violence, strife and disorder because of inter-religious tensions and conflict, eg India, Sri Lanka, Lebanon, Fiji, Northern

Ireland, Armenia and Azerbaijan. If such older societies a well-established nations could be affected by religious strife, so too could Singapore which is a young nation barely 25 years old.

4 In fact in Singapore, we are beginning to see trends which, if left unchecked, will lead to religious conflict and political instability. In recent years there has been a dramatic increase in religious fervour, missionary zeal and assertiveness among the different religious groups in Singapore. Competition for followers and converts is becoming sharper and more intense. The trend is towards strongly-held exclusive beliefs rather than the tolerant acceptance of and coexistence with other faiths. This trend is part of a worldwide religious revival affecting many countries. But in Singapore, this trend increases the possibility of friction and misunderstanding among different religious groups. This is because religion is a deeply felt matter. When religious sensitivities are offended, emotions are quickly aroused and this can lead to religious strife. Already there have been numerous instances of aggressive and insensitive proselytization and acts of religious intolerance which have caused some uneasiness among religious groups.

5 Another development which is of serious concern is the increasing political activism of religious groups. In the context of Singapore's multi-racial and multi-religious population, this is undesirable because it will threaten the social fabric of Singapore. If one religious group ventures into politics, others must inevitably follow to protect or promote their respective interests. The Government and other political parties will also get involved and lobby religious groups for political support. This will lead to a collision between different religious groups and between religious groups and the Government, and result in conflict and political instability.*

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* The rationale for the Bill and actual instances of religious rivalry, aggressive and insensitive proselytization, and religious groups mixing religion and politics, have been set out in the White Paper attached. In preparing the White Paper, the Government sought the views of the leaders of the major religious groups in Singapore, community leaders and parliamentarians. The paper incorporated several suggestions and comments received from these groups.

6. The Singapore Government therefore feels that it is better to act now and draw up some ground rules and introduce some mechanisms to prevent religious conflict. The proposed legislation will enable the Government to take prompt and effective action to defuse a potentially explosive situation. It is aimed not at the majority of religious leaders or their followers but at the small minority of mischievous and irresponsible elements whose speeches or actions may threaten religious harmony.

7. The Bill will empower the Government to prohibit a person who incites his congregation or followers against another religious group from repeating such inflammatory or provocative statements. The Bill will also provide for the establishment of a Presidential Council for Religious Harmony to moderate relations between religious groups and advise the Government on how best to deal with sensitive religious issues. The Council will consist of representatives from all major religions in Singapore and prominent lay persons who have distinguished themselves in the public service and community relations.

8. The introduction of such a legislation does not signify a change in the Government's attitude towards religion. The Government views religion as a positive factor in Singapore society, and acknowledges that religious groups have made significant contributions to the nation. The various faiths practised by Singaporeans are a source of spiritual strength and moral guidance to them. Many religious groups are involved in community and social work, running schools and helping the aged and the handicapped. The Government would in fact encourage more religious organizations to engage in such activities. The Government is also neutral in its relations with the different religious groups, and it does not favour any one of them in preference to others.

9. The Bill also does not affect Article 15 of the Constitution of Singapore which guarantees freedom of religion, specifically the right to profess and practise one's religion and to propagate it. Religious groups may continue to form religious organizations, establish places of worship, run religious classes, organize gatherings, seminars, and conferences, and hold rallies or ceremonies in stadiums, hotels or other public places.

10. The proposed law, like all other laws, is subject to the provisions of the Constitution, extracts of which are reproduced below:

"4 This Constitution is the supreme law of the Republic of Singapore and any law enacted by the Legislature after the commencement of this Constitution which is inconsistent with this Constitution shall, to the extent of the inconsistency, be void."

"15 (1) Every person has the right to profess and practise his religion and to propagate it.

(2) No person shall be compelled to pay any tax the proceeds of which are specially allocated in whole or in part for the purposes of a religion other than his own.

(3) Every religious group has the right :

(a) to manage its own religious affairs;

(b) to establish and maintain institutions for religious or charitable purposes; and

(c) to acquire and own property and hold and administer it in accordance with law.

(4) This Article does not authorize any act contrary to any general law relating to public order, public health or morality."

Religion and Politics

11 Pax Romana is concerned that the Bill will give the Government "more control over religious groups and institutions to the point of dictating the scope of their mission and what activities is deemed as religious activities". It feels that the Government "seems to be protecting itself from the possible moral pressure rising from the legitimate social action of its people, particularly committed Christian social action workers who have been motivated by religious and humanitarian considerations". Pax Romana also argues that religion and

politics cannot be separated because a "Christian has to witness to his/her faith through words and deeds."

12. Pax Romana's views on Christian involvement in social action are shared by some Christian groups in Singapore. They consider radical social action as practised in Latin America or the Philippines, or involvement in social and political issues to be an integral part of Christian faith.

13. The Government agrees that it is not always easy to separate religion and politics. To some religions eg Christianity and Islam, religion is a total way of life and a person cannot compartmentalise his religious life and his political life. However, an attempt must be made to separate religion and politics in the context of multi-racial and multi-religious Singapore and for the common good of all Singaporeans.

14. In countries where there is one dominant religion or established religious authority, it is perhaps possible for religious groups and leaders to play more active political roles, eg. the Catholic Church in Latin America, the Muslim Ulama in the Middle East, the Buddhist Sangha in Sri Lanka and Thailand. But this is not possible in Singapore because there are many religious groups with conflicting belief systems and visions of an ideal society. If the Catholics involved themselves in politics as a Church, other religious groups would follow suit. If all religious groups enter the political arena and attempt to put forward their respective political, economic and social programmes, there will be chaos in Singapore. The competition between religious groups will inevitably lead to religious strife.

<u>Support of religious leaders</u>

15. Since the publication of the White Paper in December last year, several religious leaders have come out publicly in support of the proposed laws to maintain religious harmony in Singapore. The Secretary of the Singapore Buddhist Federation was quoted in the press as saying that the proposed laws were necessary as there had already been cases of some religious groups condemning other religions. The Chairman of the Singapore San Ching Taoist Association said that the proposed Laws would be for the well-being of Singapore. A Hindu leader commented that the proposed laws were timely, adding that "if we

decide to act when the problems actually arise, it may be too late". The Mufti of Singapore also agreed that "we need laws to preserve the present state of religious harmony".

16. In this connection, I would like to point out that the excerpts of the press statement of Roman Catholic Archbishop Gregory Yong which were quoted by Pax Romana do not fully reflect the Archbishop's position on the Government's proposal to introduce the proposed legislation. Although the Archbishop had expressed concern on some aspects of the White Paper, he also stated categorically that the purpose of the legislation was "entirely praiseworthy". He agreed that for harmony to prevail, "we must be sensitive to the religious beliefs, practices and cultural heritage of peoples from different religions and races". His press statement also noted that "The White Paper upholds the constitutional right of every Singaporean to embrace, practise and propagate the religion of his choice", adding that "We are blessed to live in a country where there is religious freedom." The Archbishop went on to say that "in view of the nature of our society, it is clear that the right of any religion to propagate its beliefs must be exercised with great prudence and restraint." The Catholic Church, he stressed, did not approve of aggressive proselytisation. On religion and politics he said, among other things, that "As far as the Catholic Church is concerned, religious leaders whether Bishops or priests, may not use the pulpit to voice their own personal dissatisfaction with Government policies except in so far as these affect Catholic teaching on faith or morals". (A copy of the full text of the Archbishop's press statement published in the 4 Feb 90 issue of The Catholic News is attached.)

Conclusion

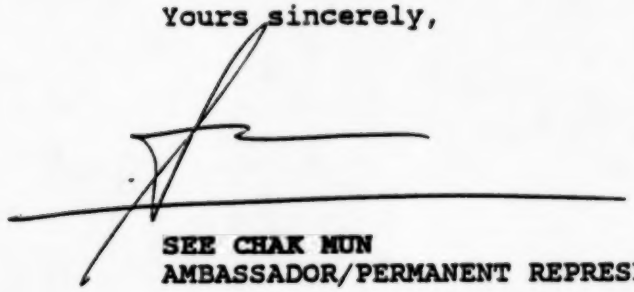
17. Pax Romana and other concerned groups may wish to know that the Bill introduced in Parliament has been referred to a Parliamentary Select Committee so that all interested parties could present their views, debate the difficult issues involved and reach a consensus on the basic requirements for maintaining religious harmony and thereafter abide by the ground rules of prudence and good conduct.

18. I also attach statements by First Deputy Prime Minister Mr Goh Chok Tong, and Minister for Home Affairs Professor S Jayakumar, on the background and the

Government's position on the Maintenance of Religious Harmony Bill.

19 I have the honour to request that this letter, together with its Annexes, be circulated as an official document of the forty-sixth session of the Commission on Human Rights under item 23.

Yours sincerely,



SEE CHAK MUN
AMBASSADOR/PERMANENT REPRESENTATIVE

ANNEX

MAINTENANCE OF RELIGIOUS HARMONY

Cmd. 21 of 1989

Presented to Parliament by Command of
The President of the Republic of Singapore
Ordered by Parliament to lie upon the Table:

26 December 1989

MAINTENANCE OF RELIGIOUS HARMONY

I. INTRODUCTION

1. This White Paper sets out proposals for legislation to maintain religious tolerance and harmony in Singapore and to establish a Presidential Council for Religious Harmony.

President's Address at the Opening of Parliament

2. In his Address at the opening of Parliament on 9 January 1989, the President explained the need for ground rules in this area. He said:-

> **A Multi-Religious Society**
>
> Religious Tolerance and Moderation. Religious harmony is as important to us as racial harmony. Singapore is a secular state, and the supreme source of political authority is the Constitution. The Constitution guarantees freedom of religion. However, in Singapore racial distinctions accentuate religious ones. Religious polarization will cause sectarian strife. We can only enjoy harmonious and easy racial relationships if we practise religious tolerance and moderation.
>
> Religion and Politics. Religious organisations have always done educational, social and charitable work. In doing so, they have contributed much to our society and nation. However, they must not stray beyond these bounds, for example by venturing into radical social action. Religion must be kept rigorously separate from politics.
>
> Religious groups must not get themselves involved in the political process. Conversely, no group can be allowed to exploit religious issues or manipulate religious organisations, whether to excite disaffection or to win political support. It does not matter if the purpose of these actions is to achieve religious ideals or to promote secular objectives. In a multi-religious society, if one group violates this taboo, others will follow suit, and the outcome will be militancy and conflict.
>
> We will spell out these ground-rules clearly and unequivocally. All political and religious groups must understand these ground-rules, and abide by them scrupulously. If we violate them, even with the best intentions, our political stability will be imperilled.

Statement by Minister for Home Affairs in Parliament

3. On 6 Oct 89, the Minister for Education made a statement in Parliament on the teaching of religious knowledge in schools. In the debate which followed, Members asked when the Government intended to implement the ground rules mentioned by the President. The Minister for Home Affairs replied:

> ..... the Government has decided to introduce legislation to give effect to these ground-rules. I expect the Bill to be ready for introduction at the

next sitting of Parliament. The Government takes a serious view of religious leaders who stray beyond the confines of religious activities or who exploit and manipulate religious organisations. If one religious group involves itself in political issues, others must follow suit to protect their own positions and one group will want to outdo the other to retain its flock. Political parties will also look for religious groups to back them up. This will lead to collision with the Government and also between different religious groups. The outcome will surely be conflict and political instability. It is extremely important therefore that priests and other religious leaders or groups never mix religion with politics or mount political campaigns.

II RATIONALE FOR PROPOSALS

Racial and Religious Harmony

4. Singaporeans belong to different races, languages and religions. All the great religions in the world are represented in Singapore - Buddhism, Taoism, Islam, Hinduism, Sikhism, and many denominations of Christianity. In such a context, religious and racial harmony are not just desirable ideals to be achieved, but essential conditions for our survival as one nation.

5. The Singapore state can only accommodate such totally different spiritual and moral beliefs among the population without being torn apart if it observes several stringent conditions. It must be a strictly secular state. The Government must claim ultimate political authority from the Constitution, and not from any divine or ecclesiastical sanction. A cardinal principle of Government policy must be the maintenance of religious harmony. The Government should not be antagonistic to the religious beliefs of the population, but must remain neutral in its relations with the different religious groups, not favouring any of them in preference to the others. Its duty is to ensure that every citizen is free to choose his own religion, and that no citizen, in exercising his religious or other rights, infringes upon the rights and sensitivities of other citizens.

Government's View on Religion

6. The Government views religion as a positive factor in Singapore society. Religious groups have made, and continue to make, major contributions to the nation. The various faiths practised by Singaporeans are a source of spiritual strength and moral guidance to them. Many religious groups are engaged in educational, community and social work, running schools, helping the aged and the handicapped, and operating creches for children. Their potential future contributions to Singapore in these areas are even greater.

Constitutional Provisions

7. Article 15 of the Constitution guarantees freedom of religion: it provides that "Every person has the right to profess and practise his religion and to propagate

it."[1] At the same time, this religious freedom is subject to the over-riding considerations of the overall national interest. Hence Article 15 also states that it "does not authorise any act contrary to any general law relating to public order, public health or morality."[2]

8. Articles 152 and 153 of the Constitution also touch on religion. Article 152 states that "It shall be the responsibility of the Government constantly to care for the interests of the racial and religious minorities in Singapore", and charges the Government to recognise the special position of the Malays, and to protect and promote their interests, including religious interests. Article 153 is the basis for the existing Administration of Muslim Law Act (AMLA) and Muslim Religious Council (MUIS).

9. The proposed legislation on religious harmony will not affect or conflict with these Articles of the Constitution.

Implications of Heightened Religious Fervour

10. In recent years, there has been a definite increase in religious fervour, missionary zeal, and assertiveness among the Christians, Muslims, Buddhists and other religious groups in Singapore.[3] Competition for followers and converts is becoming sharper and more intense. More Singaporeans of many religions are inclining towards strongly held exclusive beliefs, rather than the relaxed, tolerant acceptance of and coexistence with other faiths.

11. This trend is part of a world-wide religious revival affecting many countries, including the US and the Middle East. Its causes lie beyond Singapore, and are not within our control. But in Singapore this trend increases the possibility of friction and misunderstanding among the different religious groups. Religion is a deeply felt matter, and when religious sensitivities are offended emotions are quickly aroused. It takes only a few incidents to inflame passions, kindle violence, and destroy the good record of religious harmony built up in recent decades. The Maria Hertogh riots were a classic example.

12. The MCD Report highlighted this problem:-

> ..... [the] religious composition of the population of Singapore has undergone changes in recent decades.

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1 Article 15(1).

2 Article 15(4).

3 See the **Final Report on Religion and Religious Revivalism in Singapore**, published by Ministry of Community Development in October 1988, *passim*. This document will be referred to as the **MCD Report**.

Followers of some religions have also become more fervent in their religious interest and activities. The situation is complicated by the extent of geographical mobility resulting from urban relocation in the past decades. Followers of different religions are now coming into constant contact with one another. This increased contact may lead to tension and conflict on issues related to religion or religious practices. At the same time, the frequent contact also gives the opportunity for a "dominant" (in terms of influence) religion to encroach upon the territory of a "weaker" religion, thus posing a threat to the latter. The traditionally accepted "boundaries" of respective religions thus have become ambiguous and are shifting. This is a source of potential inter-religious tension when the leaders and followers of a religion take action to protect their own religion, either for ideological reasons or for self-interest.

The Fragility of Religious Harmony

13. We therefore cannot assume that religious harmony will persist indefinitely as a matter of course. Conscious efforts are necessary to maintain it, especially by religious leaders and groups. So long as all Singaporeans understand that they have to live and let live, and show respect and tolerance for other faiths, harmony should prevail. Religious groups should not exceed these limits, for example by denigrating other faiths, or by insensitively trying to convert those belonging to other religions. If they do, these other groups will feel attacked and threatened, and must respond by mobilising themselves to protect their interests, if necessary militantly. Similarly, if any religious group uses its religious authority to pursue secular political objectives, other religions too must follow suit. Tensions will build up, and there will be trouble for all. Actual instances of this happening in Singapore are given in the Annex to this White Paper.

14. Two vital conditions must therefore be observed to maintain harmony. Firstly, followers of the different religions must exercise moderation and tolerance, and do nothing to cause religious enmity or hatred. Secondly, religion and politics must be kept rigorously separated.

Religion and Religion

15. Many religions enjoin their followers to proselytise others who have not embraced the same faith, in order to propagate the religion. Christians refer to this as "bearing witness", while Muslims engage in *dakwah* activities. This liberty to proselytise is part of the freedom of religion protected by the Constitution. However, in Singapore it must be exercised very sensitively. It is one thing to preach to a person who is interested in converting to a new faith. It is another to try to convert a person of a different religion by denigrating his religion, especially if he has no desire to be converted. In such cases, the potential for giving offence is great. For this reason, the Government has always discouraged Christian groups from aggressively evangelising among the Malay Muslim community in Singapore.

16. Harm can be done even without the direct contact of proselytisation. Each religion has its own comprehensive doctrines and theology. Some faiths, for example

Buddhism, readily accept other religions and practices, but others, including both Christianity and Islam, are by their nature exclusive. Each religious group, in instructing its own followers, will naturally need to point out where its doctrines differ from other religions, and indeed from other branches of the same religion, and why it regards the others as being mistaken. While this is legitimate, it is possible to go too far. An unrestrained preacher pouring forth blood and thunder and denouncing the followers of other faiths as misguided infidels and lost souls may cause great umbrage to entire communities. If they then retaliate with equal virulence, or worse escalate the quarrel by attacking the persons and desecrating the places of worship of the opposing faithful, the tolerance and mutual trust which forms the basis of Singapore society will be permanently destroyed.

17. The futures of Christianity, Islam, Hinduism or Buddhism as world religions are secure regardless of how many Christians, Muslims, Hindus or Buddhists there may be among Singaporeans. However, if any religious group in Singapore seeks to increase the number of its converts drastically, at the expense of the other faiths, or attempts to establish a dominant or exclusive position for itself, it will be strenuously resisted by the other groups. This is a fact of life in Singapore which has to be faced squarely.

18. To preserve harmony, Singaporeans, whether or not they belong to any organised religious group, must not cause disharmony, ill-will or hostility between different religious or non-religious groups. In particular, religious groups, in exercising their freedom of religion, should:-

a. Acknowledge the multi-racial and multi-religious character of our society, and the sensitivities of other religious groups;

b. Emphasise the moral values common to all faiths;

c. Respect the right of each individual to hold his own beliefs, and to accept or not to accept any religion;

d. Not allow their members, followers, officials or clergy from acting disrespectfully towards other religions or religious groups; and

e. Not influence or incite their members to hostility or violence towards other groups, whether religious or non-religious.

Religion and Politics

19. The social fabric of Singapore will also be threatened if religious groups venture into politics, or if political parties use religious sentiments to garner popular support. As the President stated in his Address, if one religious group does this, others must inevitably follow. Political parties will then also become involved, advocating or implementing policies favouring one religion or another. They may be cultivated by religious groups, who can deliver votes in exchange for political influence; or they may themselves seek the support of some religious group in self-

defence, because their opponents have done so. This will also happen if a religious group involves itself in politics to oppose the Government, or perhaps to influence it. Whichever way it occurs, the end result will again be conflict between religions, this time added to political instability and factional strife.

20. This is why religious leaders and members of religious groups should refrain from promoting any political party or cause under the cloak of religion. The leaders should not incite their faithful to defy, challenge or actively oppose secular Government policies, much less mobilise their followers or their organisations for subversive purposes.

21. The Government does not claim that it is always right in its policies, or that it is always deserving of support. But in Singapore the safeguards for political rights and democratic values must be secular, not religious, institutions. If political leaders become corrupt, or the government of the day acts contrary to the interests of the people, the remedy must be sought through checks and balances in the political system, for example by public meetings, publicity in the media, debates and motions of no confidence in Parliament, actions in the Courts and finally by campaigning to oust such a government in a general election. It is the duty of the opposition political parties and the electorate, not of any religious group, to overthrow a government which has lost the mandate of the people. Any religious group in Singapore which takes upon itself this duty runs the grave risk of making things worse instead of better.

22. Members of religious groups may, of course, participate in the democratic political process as individual citizens. They may campaign for or against the Government or any political party. But they must not do so as leaders of their religious constituency.

23. Religious leaders are in a particularly delicate position. An Archbishop, Pastor, Abbot, or Mufti is a religious personage, whether or not he puts on his robes or mounts his pulpit. It is not to be expected that every religious leader will always agree with every policy of the Government. But whatever their political views, they should express them circumspectly. They should not use their religious authority to sway their followers, much less actively incite them to oppose the Government. In the same way, judges and civil servants take no active part in politics, even though they enjoy the same political rights to hold political opinions and to vote as other citizens.

24. To some extent, this division between religion and politics is a matter of convention. When a citizen supports or opposes a political party, he does so for a mixture of reasons, some secular, others spiritual. Other things being equal, a politician who is sympathetic to the religions of his electorate will gain more popular support than one who is not. It is neither possible nor desirable to compartmentalise completely the minds of voters into secular and religious halves, and ensure that only the secular mind influences his voting behaviour.

25. Some religions explicitly deny the possibility of this separation, because to their followers the faith encompasses all aspects of life. This is so notably of Islam, and is also true for most Christians. It is precisely because more than one faith take such holistic views that they must collide if they all attempt to carry out to the full their respective visions of an ideal society.

26. There will also be issues which to the Government will be legitimate concerns for public policy, but which to some faiths pose moral or religious questions. For example:-

a. Many Christians, particularly Catholics, consider abortion to be morally wrong. The Government's policy is to allow women wanting abortions to get one. However, whether or not a pregnant woman wants to undergo an abortion, and whether or not a doctor or nurse wants to carry out abortions, are clearly issues of conscience, to be decided by each person for himself or herself. On such issues, religious groups may and do properly take positions and preach to their followers.

b. Jehovah's Witnesses believe that their religion forbids them to do any form of National Service. Under the law this is criminal conduct, not conscientious objection. Followers of this sect who refuse to obey call-up orders are court martialled and serve jail sentences.

c. Some Christian groups consider radical social action, as practised in Latin America or the Philippines, to be a vital part of Christian faith. Whether or not this is the practice elsewhere, if para-religious social action groups become an active political force in Singapore, they will cause heightened political and religious tensions.

27. The purpose of attempting to separate religion from politics is therefore not to determine the validity of various religious or ethical beliefs which have political or social implications. It is to establish working rules by which many faiths can accept fundamental differences between them, and coexist peacefully in Singapore.

28. In societies with a single dominant religion or established church, religious groups and leaders may well play more active political roles. The Catholic Church in Latin America, the Islamic *ulama* in the Middle East, and the Buddhist *Sangha* in Sri Lanka and Thailand are examples. But if in Singapore followers of the different faiths simultaneously adopt these examples, from societies very different from Singapore, as their role models, and attempt to do the same here, the country will quickly come to grief. Mutual abstention from competitive political influence is an important aspect of religious tolerance and harmony.

Need for Legislation

29. Ideally all religious groups will recognise and respect these rules of prudence without need for legislation. However, it would be unwise to assume that

good sense will always prevail. Irresponsible persons who ignore these imperatives will do irreparable damage to our political fabric. It is better to act now to preempt future difficulties, when the trends are already clear but relations between the religions are still good. It will be much more difficult to secure agreement to act later, after matters have deteriorated and emotions have been aroused.

30. The Government has therefore decided to introduce legislation to maintain religious harmony in Singapore. The legislation will empower it to act promptly and effectively against persons whose actions or words threaten this harmony. When someone deliberately incites his congregation to hatred of another religious group, the Minister can prohibit him from repeating such inflammatory or provocative statements. If he then violates this Order, he will be prosecuted in a Court of law and be subject to a fine or jail sentence.

Provisions in Other Laws

31. The Government can already act against persons who threaten religious harmony under other existing statutes. The **Sedition Act** defines promotion of "feelings of ill-will and hostility between different races or classes of the population" as a seditious tendency. The **Penal Code** sets out various "Offences Relating to Religion", including injuring or defiling a place of worship, disturbing a religious assembly, trespassing in any place of worship, or uttering words to deliberately wound the religious feelings of any person. In some cases, prosecution under these provisions may be possible and justified. But often these measures will be too severe and disproportionate. Prompt action may be necessary to stop a person from repeating harmful, provocative acts. A Court trial may mean considerable delay before judgment is pronounced, and the judicial proceedings may themselves stoke passions further if the defendant turns them into political propaganda.

32. *In extremis*, the Government can use the **Internal Security Act** (ISA) to detain a person whose "religious" activity is likely to set different religious groups against one another, or to cause riots and bloodshed, or to heighten differences and intolerance between the different religions. However, the ISA was designed to combat subversion, not the misuse of religions. Not all uses of a religious group to advance political causes are necessarily subversive. Much harm may be done long before the ISA can be invoked.

33. The Government may need to take quick but less severe action against a transgressor to head off a problem. One way is for the Minister to issue him with a Prohibition Order, to place him on notice that he should not repeat the offending action. Only if he violates this Order will he be charged in Court. This will require new legislation.

Establishment of a Presidential Council for Religious Harmony

34. There is presently an Inter-Religious Organisation. It is registered under the Societies Act, and has no powers or authority under the law. The MCD Report recommended the creation of an "Inter-Religious Council". It explained:-

> **The [existing] IRO does not have an official statutory status and has not been very active or visible since its inception in 1949. It can only serve limited functions under the present circumstances when religious issues have become more complicated and tended to involve larger social and political considerations.**
>
> **Accordingly, we suggest that the government should set up an Inter-Religious Council (IRC), consisting of representatives from the various recognized religious groups in Singapore. The purpose of the IRC would be twofold: (1) to promote harmony between the different religions in Singapore and to monitor the relations between them; and (2) to minimize friction and misunderstanding between these religious groups and to perform an arbitration role if necessary. In Singapore, it is becoming very important that the rules of religious conduct are clearly laid out and shared and understood by the parties involved. The IRC could then play an important role in reaching a consensus on such rules.**
>
> **Structurally, the IRC should come under the jurisdiction of the Prime Minister's Office. It should investigate complaints by members of any religious group against the members of another religion to ascertain the validity of such complaints and to recommend to the Prime Minister to take appropriate action.**

35. Such a consultative council can play a valuable role in moderating relations between religious groups, and in advising the Government on how best to deal with sensitive religious issues. The Government therefore proposes to establish a Presidential Council for Religious Harmony.

36. The Council will consist of representatives from all the major religions in Singapore, and prominent lay persons who have distinguished themselves in the public service and community relations. The lay persons are included to complement the perspective of religious leaders on the Council, to avoid direct confrontations between leaders of opposing faiths who may have to pass judgment upon each other's errant followers, and to represent the many Singaporeans who do not belong to any organised religious group.

III MAIN FEATURES OF THE PROPOSED LEGISLATION

The Harmful Conduct Dealt With

37. The actual Bill is still being drafted. However, its main provisions follow from the argument of this White Paper. The legislation will cover the following conduct or acts of a religious leader or any member of a religious group or institution:

a. Causing feelings of enmity, hatred, ill-will or hostility or prejudicing the maintenance of harmony between different religious groups;

b. Carrying out activities to promote a political cause, or a cause of any political society while, or under the guise of, propagating or practising any religious belief;

c. Carrying out subversive activities under the guise of propagating or practising any religious belief; or

d. Exciting disaffection against the President or the Government.[4]

The Action to be Taken: Prohibition Orders

38. Initially a person who violates these rules will not be prosecuted in court, but will be warned and enjoined not to repeat it. When the Minister is satisfied that a religious leader or a member of a religious group is engaged in such conduct, he can issue an Order to prohibit him from:

a. Addressing any congregation, or group of worshippers on any subject specified in the order;

b. Printing, publishing, distributing or contributing to any publication produced by that religious group;

c. Holding office in any editorial board or committee of any publication produced by that group;

without the prior permission of the Minister. The Order will be valid for 2 years, and can be renewed.

Prohibition Orders Against Others

39. Where others outside the religious group or institution are instigating those within the religious group to engage in such conduct, Prohibition Orders can also be issued against them requiring them to desist.

Opportunity to be Heard

40. Before making a Prohibition Order, the Minister must serve 14 days' notice of his intention to the person concerned, and to the head of his religious group or institution (if any), to afford them the opportunity to make written representations. The Minister must also inform the proposed Presidential Council for

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[4] This is the language used in Article 149(1)(d) of the Constitution, which covers legislation against subversion. The Sedition Act (Section 3(1)(a)) gives as one definition of Sedition "to bring into hatred or contempt or to excite disaffection against the Government".

Religious Harmony, which may give its views within the same time limit. After the 14 days' notice period, the Minister may issue the Order, having regard to any submissions he has received.

41. After an Order is issued, the Minister must refer it to the Council, together with the representations he has received. The Council will consider the Order, and may recommend whether it should be continued, varied or revoked. The Minister is to have regard to any such recommendations of the Council.

Penalties

42. A person who contravenes a Prohibition Order will have committed an offence for which he can be prosecuted in Court. The proposed penalty is a maximum fine of $10,000 or imprisonment for up to 2 years or both; for second or subsequent offences, it will be a maximum fine of $20,000 or imprisonment for up to 3 years or both.

The Presidential Council for Religious Harmony

43. The legislation will also formally establish a Presidential Council for Religious Harmony, consisting of a Chairman and up to 15 other members. They will be appointed by the President on the advice of the Presidential Council for Minority Rights. Their term of office will be 3 years, which may be renewed.

44. The Council will consider and report on matters affecting the maintenance of religious harmony, which are referred to it by the Government or Parliament. It will also consider Prohibition Orders issued by the Minister, as described earlier.

IV. CONCLUSION

45. This White Paper spells out the problems we face, the need for legislation, and the main features of the proposed legislation. Following its publication, the Government intends to introduce a Bill in Parliament, intituled the Religions (Maintenance of Harmony) Bill. The Bill will be referred to a Select Committee, so that the detailed language of the legislation can be carefully scrutinised.

46. Religious harmony is fundamental to the long term stability of Singapore. It is vital to religious groups and their members, especially the smaller groups and denominations whose very survival depends on a climate of religious tolerance. It is also important to Singaporeans who do not belong to any particular religion. All interested parties should present their views, and debate fully the difficult issues involved. Singaporeans must reach a firm common understanding on the basic requirements for maintaining religious harmony, and thereafter abide scrupulously by the ground rules of prudence and good conduct.

*****

ANNEX

RELIGIOUS TRENDS - A SECURITY PERSPECTIVE

INTRODUCTION

1. The Internal Security Department (ISD) compiled this report to illustrate actual instances of the problems discussed in the White Paper. The cases involve individuals belonging to different religions. The compilation is not meant as criticism of the religious groups to which they belonged, or to imply that they always acted with the approval of the governing bodies of their groups. It is only to show how inter-religious tensions can arise when persons try vigorously to promote their own faiths and convictions, perhaps with good intentions, but without adequately considering the sensitivities of other groups or the delicacy of Singapore's multi-religious balance.

AGGRESSIVE & INSENSITIVE PROSELYTIZATION

Inter-Religious Tensions

2. In the last 5 years, the Government has received numerous complaints about aggressive and insensitive evangelisation, mostly carried out by some Protestant churches and organizations. Some religious groups have also carried out acts and practices which offend other groups.

3. University students have been harassed by over-zealous Christian students. These student-preachers tried to convert fellow students who felt depressed after failing their examinations. In hospitals, some doctors and medical students have tried to convert critically ill patients to Christianity on their death beds, without regard for their vulnerabilities or for the sensitivities of their relatives.

4. Christians and Hindus. The complaints by other religious groups are more serious. Hindus have been perturbed by aggressive Christian proselytization. In August 86, officials and devotees of a Hindu temple found posters announcing a forthcoming Christian seminar pasted at the entrance of their temple. The Hindus also objected when Christian missionaries distributed pamphlets to devotees going into temples along Serangoon Road.

5. Christians and Muslims. The Muslims are extremely sensitive to any attempt to convert them to other faiths. They reacted indignantly when some Christian groups stepped up evangelical activities in 1986. A few groups distributed pamphlets in Malay that used the word "Allah" for God. The Muslims accused these groups of harassing and misleading them, since to them the word "Allah" was specific to Islam. Some Muslims also received extracts from an unidentified book containing inflammatory remarks - that Islam was a "cruel" and "devilish" religion which encouraged "the killing of Christians".

6. Feeling their religion threatened, the Muslims embarked on their own campaign to counter the Christian effort. Talks and sermons in mosques and Muslim gatherings harped on the danger posed by Christian evangelists. Mosques put up notices listing the names of Muslims who had converted to Christianity, warning other Muslims to stay away from them. One organization distributed 2,000 copies of a book questioning the authenticity of the Bible. Another distributed booklets questioning the cardinal beliefs of the Christians.

7. The Government has from time to time acted to prevent clashes between religious groups, especially between Christians and Muslims. In 1986, ISD called up the leaders of 11 Christian organizations which had been evangelising among Muslims, to advise them to avoid activities which could cause misunderstanding or conflict. A few ignored this advice. The senior pastor of the Calvary Charismatic Centre (CCC), Rev Rick Seaward, later said that the CCC wanted "all Malays to be Christians". In a fiery sermon in August 87, Seaward declared that "the greatest threat to Christianity ..... to all mankind today is not Communism but Islam", that Singapore would one day become a Christian nation, and that God's special task for Singaporeans was to send them to spread the Gospel to other countries. He therefore exhorted the congregation to be willing to be martyred.

8. Burial of Muslim Converts. There have also been disputes over the funerals of non-Muslims who had converted to Islam. Two cases in July 88 and January 89 involved Chinese converts. One belonged to a Christian, and the other to a Buddhist family. The families wanted to cremate the bodies according to their respective Christian and Buddhist rites. But a Muslim organization applied for court orders to claim the bodies and bury them according to Islamic rites. This naturally upset the families, who considered themselves as next of kin entitled under the law to decide on funeral arrangements. Fortunately, these two disputes were settled amicably out of court after government officials mediated.

9. Muslims and Ahmadis. There is a long-standing dispute between orthodox local Muslim organizations and the Ahmadiyya Muslim Mission. In the mid-1980s, when the Ahmadis called their new building at Onan Road a mosque, local Muslim organizations protested. In early 1989, the Ahmadiyya mission deposited literature in letter-boxes, including boxes belonging to Muslim residents. Some orthodox Muslims were enraged, and expressed grave concern that the pamphlets would mislead and confuse Muslim youths. Meanwhile, the Ahmadis continued to assert that they were true Muslims, and mounted a propaganda campaign to refute allegations that they were a deviant sect.

Intra-Religious Tensions

10. Even within the same broad religion, there have been instances of enmity and provocation between different sub-groups.

11. Hindus. In October 89, a Hindu sect, the Shiv Mandir, burnt an effigy of Ravana, a Hindu mythological king, during a religious festival. The Shiv Mandir claimed that the ritual was an ancient practice marking Lord Ramachandra's triumph

over the demon king Ravana and symbolised the triumph of good over evil. Tamil Hindus were incensed by the ceremony. Some saw it as an Aryan attempt to humiliate and belittle the Dravidians, for Ramachandra was an Aryan while Ravana a Dravidian. A few asserted that Ravana was not a demon king. They wanted to stage a protest demonstration at the Shiv Mandir function and threatened to burn the effigy of Lord Ramachandra in retaliation.

12. Christians. Some Protestants have distributed pamphlets and booklets denigrating the Roman Catholic Church and the Pope. Some of these materials described the Pope as a Communist, and even as the anti-Christ. The Catholic Church publication, the **Catholic News**, has responded by condemning these attempts by "fundamental Christian groups to confuse Catholics".[5] Some Protestant groups have also criticized other denominations, including Charismatics and Ecumenists, in their publications.

MIXING RELIGION & POLITICS

Catholic Priests

13. In the mid-80s, a number of Catholic priests ventured into "social action" and acted as a political pressure group. A few of them, including Frs Patrick Goh, Edgar D'Souza, Joseph Ho and Arotcarena, formed the Church and Society Study Group which published political booklets criticising the Government on various secular issues. One of its reports in May 85 accused the Government of emasculating the trade unions and enacting labour laws which curtailed the rights of workers. It also alleged that the NWC annual recommendations were of little or no benefit to the workers and that the NWC merely controlled wage levels.

14. The **Catholic News**, under the control of Fr Edgar D'Souza, also began publishing articles and editorials on economic and political issues. It criticised multi-national corporations, the amendments to citizenship laws and the Newspaper & Printing Presses Act, and Government policies on TV3 and foreign workers.

15. In May 1987, when the Government arrested Vincent Cheng's group, Fr Edgar D'Souza, Fr Patrick Goh and several other priests agitated against the arrests, holding masses and issuing inflammatory statements to work up emotions and pressure the Government to release the detainees. They misrepresented the arrests as an attack on the Church, and caused a near collision between the Government and the Church. The situation was defused only after the Prime Minister intervened and the Archbishop stated publicly that the arrests had nothing to do with the Church.

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[5] **Catholic News, 26 Jun 88.**

16. On 5 Jun 87 the Archbishop specifically ordered his priests not to mix religion and politics in their sermons. Despite this, several priests continued to make political statements from their pulpits.

17. Fr Patrick Goh is the parish priest of the Church of St Bernadette. He has continued to deliver sermons portraying the ISA detainees as victims of injustice, and the political climate of Singapore as repressive. At a mass on 12 May 88, he told the congregation to pray for all the "victims of injustice, lies and untruths". He said that many people lived in fear and helplessness and urged Christians to stand up and fight against injustice. During the weekend masses on 21-22 May 88, he claimed that people had expressed fears that innocent people could be easily fixed through false or fabricated information.

18. Fr Adrian Anthony is the rector of the St Francis Xavier's Seminary. At several masses at the Church of the Risen Christ, he suggested that the ISA detainees were innocent and had been wrongfully detained. In a sermon on 4 Dec 88, he admitted that he had been "branded" as "the priest who always talks politics". On 21 May 89 he held a mass to commemorate the second anniversary of the ISA arrests, where he declared that "the Minister for Home Affairs, Jayakumar, all Judges and ISD officers would face God's punishment" for detaining them.

19. Fr Andre Victor Christophe of the Church of Our Lady of Lourdes is not a citizen. He is a French national and a Singapore permanent resident. Yet he too has raised political issues in his sermons. At an evening mass on 30 Apr 88, the eve of Labour Day, he told his congregation that there had been no wage increases since 1985 and urged workers to stand up for their rights. At a Sunday mass on 28 Aug 88, he referred to the coming General Elections and exhorted his congregation to vote "with their eyes open" as the tightening government policies would inevitably affect their children.

Muslim Theologians

20. Several foreign Muslim theologians have also made provocative political speeches inciting the local Malays/Muslims against the Government.

21. Imaduddin Abdul Rahim was a lecturer from Indonesia. During a religious talk on 22 Apr 73, he commented that the Malay houses in Changi Point would not have been demolished if the Muslim residents there had been united. He predicted that the village mosque would also suffer the same fate, and went on to say that in new housing estates such as Queenstown and Toa Payoh one could see church steeples piercing the skyline and large non-Muslim prayer houses, but could not find any mosques around. He branded local Muslims and Malays as "stooges" in their own country for failing to fulfil their obligations.

22. Ahmed Hoosen Deedat is a South African missionary of Indian descent well known for his attacks against Christianity. At a religious lecture on 4 Nov 82, he suggested that local Muslims should be more militant. He said that Singapore Muslims were passive and soft compared to the South African Malays, who if given

arms could wipe out all the Jews and Christians from Cape Town to Cairo. He accused the early local Muslim inhabitants of being complacent and failing to convert the Chinese immigrants, so that the Chinese had taken over power from the Muslims. At two other lectures in November 82 at the Al-Muttaqin Mosque in Ang Mo Kio and at the DBS Auditorium, he made disparaging remarks about Christianity, branding it as the most foolish religion because Christians believe Jesus Christ to be God.

23. Mat Saman bin Mohamed is a Malaysian religious teacher. At a religious function in Singapore on 20 Jan 84, he expressed his disappointment over the demolition of mosques in areas affected by urban redevelopment, saying that this was tantamount to the destruction of Allah's house. At another function on 23 Nov 86, he asserted that Singapore belonged to the Malays as they were natives of the island. He said that the Malays had become a minority as a result of the influx of foreigners to Singapore, and were now subservient to the non-Malays. He called on the Malays to be united in their stand against the majority race (the Chinese), adding that the Malaysian Malays were aware of their plight and sympathized with their predicament.

24. All 3 lecturers have been banned from re-entering Singapore.

HINDU AND SIKH ORGANIZATIONS

25. Since the mid-1980s, Hindu and Sikh religious activists have become increasingly involved with political developments in India. On 31 Oct 84, Mrs Indira Gandhi was assassinated by Sikh extremists. Hindu-Sikh riots broke out in India, leading to tension between the two communities in Singapore. There were 4 reported cases of assaults on Sikhs, acts of vandalism on Sikh properties, and a few threatening phone calls to Sikh individuals and institutions. Some Indian stall-holders refused to serve Sikh customers. Anticipating trouble, some Sikhs closed their shops in Serangoon Road and High Street. Against this background, some Hindu temples and organizations made plans to hold condolence gatherings for the late Indian leader. A Brahmin temple placed a condolence message in the Straits Times and held prayers for Mrs Gandhi. As these gatherings would have exacerbated tension between the Hindus and Sikhs in Singapore, the Police called up these activists to warn them not to proceed, and to remind them that events in India did not concern Singaporeans.

26. On their part, since 1984 Sikh temples in Singapore have been commemorating the anniversary of the storming of the Golden Temple by Indian troops by holding prayer vigils for the Sikh martyrs. During some of these functions, temple officials made emotional speeches condemning the Indian Government and exhorting local Sikhs to support the Sikhs' struggle for an independent state and to emulate the Sikh martyrs.

27. In January 89, a few Sikh temples held requiems for the two Sikhs executed by the Indian Government for the assassination of Indira Gandhi. Officials of the Niven Road Sikh Temple placed an announcement in the obituaries column of the Sunday Times stating that prayers would be held at the temple. The

announcement included photographs of the 2 executed Sikhs. Photographs and news-cuttings were also displayed in the temple. The Police called up Sikh leaders and temple officials to warn them not to hold further requiems, import foreign politics into Singapore, or involve their religious organizations in politics. Despite this, the Wilkie Road Sikh Temple held a 48-hour vigil in March 89 for the Sikh martyrs.

28. A small local Sikh group has been providing funds and logistics support to militant Sikh separatist groups in India and the UK, which are fighting for an independent Khalistan state in Punjab. It usually raises funds discreetly through personal approaches, but on several occasions made emotional appeals to congregations at Sikh temples for donations, either for the Khalistan cause, or to help the families of Sikh martyrs in India.

RELIGION & SUBVERSION

29. Another area of concern is the exploitation of religion by Marxists and other subversive elements for their own political ends, as is happening for example in Latin America, India, and the Philippines. Singapore has witnessed several cases of religious activists exploiting religion for subversive purposes, most recently the case of Vincent Cheng and his Marxist group.

The Marxist Conspiracy

30. Vincent Cheng was first exposed to Marxist ideas during his seminary training in the late 1960s. In the early 1970s, Tan Wah Piow cultivated and influenced him. During visits to the Philippines in the 1970s and 1980s, Cheng learnt about liberation theology, and saw how the Communist Party of the Philippines (CPP) used the Church as a cover to advance the Communist cause. In 1981, Tan Wah Piow instructed him to build up extensive grassroots support to capture political power in the long term. Cheng applied what he learned in the Philippines and embarked on a systematic plan to infiltrate, subvert and control various Catholic and student organizations, including the Justice & Peace Commission of the Catholic Church, and Catholic student societies in the NUS and Singapore Polytechnic. He planned to build a united front of pressure groups for confrontation with the Government.

31. Under the aegis of the Justice & Peace Commission, he organized talks, seminars and workshops to arouse feelings of disaffection with society and the urge for revolutionary change. He manipulated Church publications like the **Highlights** and **Dossier** to subtly propagate Marxist and leftist ideas, and to politicise his readers who included priests and lay Catholics. Some of the articles adopted familiar Communist arguments to denounce the existing system as "exploitative", "unjust" and "repressive". Cheng was planning to broaden his network and branch out into various parishes when he was arrested.

THE IKHWAN (MUSLIM BROTHERHOOD)

32. A few Muslim activists have also attempted to carry out subversive activities under the guise of conducting religious activities. In mid-1978, a university graduate formed a clandestine group of extremists called "Ikhwan" or Muslim Brotherhood, with the long-term aim of establishing an Islamic state, by armed means if necessary. The group comprised 21 members, mostly recruited from religious classes conducted by a Malaysian religious teacher then living in Singapore.

33. Ikhwan planned to recruit pre-university students and undergraduates by setting up religious discussion groups in their respective schools and institutions. They were to be trained as writers and religious teachers in order to disseminate revolutionary ideas and sow disaffection among the Muslims. Led by the Ikhwan, the Muslims would then demand that the Government implement Islamic laws similar to those in Saudi Arabia or Iran. If the Government refused, the Ikhwan would spearhead an armed uprising.

34. By September 79, the Ikhwan had managed to penetrate the Malay language societies of the then Ngee Ann Technical College and the Singapore Polytechnic, and to take over a moribund Muslim organization, the Pertubohan Muslimin Singapura (PERMUSI), as a front for their clandestine activities.

35. At this point, the Government arrested 5 leading Ikhwan members under the ISA. The remaining 16 members and their parents were summoned to ISD and warned. The Mufti was present. He reminded them to adhere to the correct teachings of Islam. The Malaysian religious advisor who was involved was expelled and prohibited from entering Singapore.

CONCLUSION

36. Aggressive proselytization and exploitation of religion for political and subversive purposes pose serious threats to religious and racial harmony and public order. Unless all religious groups exercise moderation and tolerance in their efforts to win converts, and maintain a rigorous separation between religion and politics, there will be religious friction, communal strife and political instability in Singapore.

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The CATHOLIC News

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We wish our Chinese readers of the Catholic News a Happy Lunar New Year

Church expresses concern

Below is the full text of Archbishop Gregory Yong's Press Statement on the White Paper: Maintenance of Religious Harmony, issued on January 5, 1990.

"THE purpose of the proposed legislation, as set out in the introduction of the White Paper, is to maintain religious tolerance and harmony in Singapore. This is an entirely praiseworthy objective, and it is good to see the Government's concern about preserving and fostering inter-religious harmony. We are well aware of the fact that we live in a multi-religious and multi-racial society. For harmony to prevail, we must be sensitive to the religious beliefs, pr[illegible]es and cultural heritage of peoples from different religions and races.

The White Paper upholds the constitutional right of every Singaporean to embrace, practise and propagate the religion of his choice. We are blessed to live in a country where there is religious freedom. However, in view of the nature of our society, it is clear that the right of any religion to propagate its beliefs must be exercised with great prudence and restraint.

The Catholic Church does not approve of aggressive proselytisation. It holds that all men should be free from coercion in the acceptance of a religion. It respects other religions and encourages dialogue with them to search for common spiritual and moral values. To those who enquire about our beliefs we try to give a reasoned explanation, and we stress the importance of personal example in witnessing to what we believe.

Unity or division

In the proposed legislation two conditions are put forward as necessary for the maintenance of religious harmony. The first is that people must not cause feelings of hatred or hostility towards those of other religions. It is regrettable that legislation should be necessary to prevent such behaviour. Religion ought to be a unifying influence in society, but we know from sad experience that it can, instead, be a divisive force, often with tragic consequences.

The second condition put forward in the White Paper for maintaining harmony is that religion and politics must be rigorously separate. This is a more complex and problematic proposal. The word "politics" needs careful definition. In a narrow sense it can mean party-politics; and here it is acceptable to say that, at least in Singapore, no religion should espouse the cause of any particular political party. Party-politics is the business of the layman, and we continue to encourage those Catholics who have the necessary competence and inclination to enter the field of politics so that they can help improve the quality of life of all Singaporeans with policies based on sound ethical principles.

> "The right of any religion to propagate its beliefs must be exercised with great prudence and restraint."

In a broader sense, politics means the study and practice of public affairs; in this sense it is akin to religion, in that it affects the whole of human life. To say that religion and politics can be separated is at best an ambiguous statement.

Right to express

The White Paper makes a distinction between the right of a religious leader to speak as a private citizen, and his right to speak officially as a religious leader. As a citizen of Singapore he has the right to express his views on political and social matters like any other citizen. But it would be wrong for him to make use of his position as a religious leader to foist his personal political or social views on his fellow-believers. This would be an abuse of his official position.

However, when Government policies have a bearing on faith or morals, then the religious leader has a right and duty to teach his co-religionists the stand they have to take according to the authentic and authoritative teaching of their religion.

This is where confusion can arise. It is not sufficient to say that the State is autonomous in secular matters and religion is autonomous in religious matters. There can often be an overlap between the secular and the religious. In such cases the religious leader cannot be accused of going beyond his competence in speaking on the moral and religious overtones of what might appear to be a purely secular matter. Just as the State shows its concern about inter-religious harmony because of its political implications, so religion must show its concern about "secular" Government policies when there are moral or religious implications.

Critic and patriot

Every Government must earn the respect and support of its people by the integrity and dedication of its members, and by what they do for the common good of the people. Loyalty to the nation is not to be identified with loyalty to the Government. Governments may come and go, but the nation remains. Consequently, it would be quite wrong to brand as disloyal or unpatriotic those who oppose some of the decisions of the Government of the day. It is possible for a person to be a great critic of the Government and a great patriot.

In the White Paper it is admitted that the Government does not claim that it is always right in its policies. Hence, there must be room for criticism and dissent. As far as the Catholic Church is concerned, religious leaders whether Bishops or priests, may not use the pulpit to voice their own personal dissatisfaction with Government policies except in so far as these affect Catholic teaching on faith or morals.

The Government is concerned about the possible misuse of religion for political purposes. Similarly, the Church is concerned about the possible misuse of the proposed legislation to silence lawful dissent and legitimate criticism. It is therefore reassuring to see that the proposed Inter-Religious Council will be a Presidential Council. This Council will be obliged to give its considered opinion on the decisions of the Minister.

It is right and proper that the composition of such a Council should be outside the sphere of party-politics. The Council must be free, and seen to be free, from Government control if it is to be credible."

Symbolic anchor brings smiles at ground-breaking ceremony

Archbishop Gregory Yong and Fr L. Amiotte are seen at the site of Yishun's Star of the Sea church with some members of the Building Committee at the ground-breaking ceremony with the anchor prominently positioned. For a fuller report of the event please turn to page 2. Photo by Anthony Loh.

Source: PARLIAMENTARY DEBATES V.54, No. 12, 23 February 1990

12.59 pm

The First Deputy Prime Minister and Minister for Defence (Mr Goh Chok Tong): Mr Speaker, Sir, the Minister for Home Affairs has given a comprehensive explanation of why we need the Bill. I want to complement him by bringing you into the inside track so that you can appreciate better how the Bill has evolved from start to finish.

The Bill may have taken two and a half years to finalise, but actually the idea started long before that. It started some time in 1986 when we read ISD* reports on how certain religious groups were becoming over-zealous in their proselytisation, how aggressive propagation of faith was affecting others and how other religious groups were planning to fight back to retain their following.

We studied the situation to see whether these were isolated incidents or they represented a trend. We came to the conclusion that it was a trend, not just in Singapore but worldwide. We then asked the Ministry of Community Development to commission to study, to do a proper study of religious trends in Singapore. This study was undertaken by three NUS* lecturers and they

published several reports, the final one being the Report on Religion and Religious Revivalism in Singapore in October 1988. The study confirmed that religious fervour was indeed on the rise in Singapore and also in the world, and that, to quote from the Report, "followers from some religions have also become more fervent in their religious interest and activities." This was true not only of the Christians but also of the followers of other religions, the Buddhists and also the Muslims. We were not concerned with the rise of religious fervour per se, but worried that such a trend in a multi-religious, multi-racial society, might lead to a clash between religions. That was our concern.

This trend in religious fervour was complicated by another trend, the mixing of religion with politics by some sections of the church. ISD sent us reports on a number of Catholic priests and activists using social action to take on the Government and alerted us on the introduction of liberation theology into Singapore or the practice of liberation theology into Singapore. I found myself reading the Catholic News not for its theological teachings but for its articles on political issues like MNCs, foreign workers, and the Newspaper and Printing Presses Act. I wondered how these articles got into the Catholic News when they had nothing to do with religion per se.

The Prime Minister also read the ISD reports, the MCD* reports on religion and publications on liberation theology. So he became quite an expert on this subject. He saw the danger signals. He was very concerned. It was clear that we would have a problem on our hands, first, of many religious groups competing fiercely for followers leading to the possibility of clashes and, second, of some religious groups entering the political arena

through their religion and causing a collision between religion and the State.

We spent sometime to discuss the implications where all this will lead us to. I think the conclusion was obvious. It will lead to disharmony, disorder, chaos, confusion and conflict. At the same time, the Prime Minister said that it was not an immediate problem. It is not something which would take place very quickly or in one or two years' time. It was a problem of the future and because it was a problem of the future he left the decision to me and my colleagues. It is one in which we have got to deal with because it is something which will happen not in 1986 but perhaps several years down the road if the trend was not checked.

I had two options: leave things alone and hope for the best. A do-nothing approach and hope that good sense will always prevail and religious harmony will somehow be maintained. Or I can decide not to take risk and do something to preserve the present harmony amongst religions, amongst Singaporeans of various religions faiths.

The first option is easy. It is a do-nothing approach and nobody would know that there was such a problem. It would not be discussed. Painless, no political cost at all, or at least no immediate political cost, the cost may come later on.

The second option will be controversial. It means another set of rules to govern the way we behave and it will carry som political costs. And it will carry a big price if we are unable to explain and persuade Singaporeans to believe in our explanation that such a Bill is required.

Since the radar signals showed that there are dangers ahead I felt that it was unwise not to do something about them. In fact, I felt that it would be thoroughly irresponsible on my part and on the part of the Government if we do not take preventive action now.

I consider racial and religious harmony as the most important bedrock of our society. If there is no harmony there will be no peaceful prosperous Singapore. As simple as that.

The Prime Minister and his colleagues have spent many years to build up this climate of harmony amongst Singaporeans, to nurture a climate of tolerance amongst people of different religions and I have every intention of ensuring that such a happy state of affairs remains. I then discussed the subject with my Cabinet colleagues and most of us decided to act. Most, because not all agreed that we should introduce a legislation or take steps to prevent this trend from developing. There were some of us who argued that we should leave things alone. It is a very sensitive subject, very emotive, leave things alone, leave well alone. After all, where is the problem?

Having decided to do something about the problem, our next question was; what form of action? Again here we considered two options. Option One, a non-legislative, non-enforceable approach. For example, to come out with a set of guidelines or guiding principles, make this into a Declaration of Principles, a list of do's and don'ts to guide religious leaders and members of their flock; or we can choose option two, which is to have a legislative, enforceable mechanism, a law that could restrain trouble makers, those who jeopardise religious harmony. We were not decided which option to take. So we asked the Attorney-

General to put up two drafts - one a Declaration of Principles and the other a draft Bill. Both were submitted to us in June 1987. The Declaration sounded good. It was indeed a possible option for us to take. I will read to you just one or two guidelines what we had in mind. For example, it would state:

'All persons are guaranteed the freedom to practise and propagate their religion. In the exercise of this freedom, they must have regard to the multi-racial and multi-religious character of our society and, in particular, the sensitivities of persons professing other religious beliefs and practices.

Another guideline:

'No religious group shall incite or otherwise influence its members to violence or to be hostile towards other religious groups, races or classes of the population.'

I do not think many people will quarrel with the guidelines. But we asked ourselves what purpose would such a declaration serve? The majority of religious leaders and members of religious groups would readily agree and observe this principle. Our problem was the minority of persons who did not agree and would pay no regard to such principles. That is the problem that we have got to deal with, the minority. Therefore, useful though the Declaration of Principles was, it would not meet our purpose. We did not reject it outright. Although we thought that was not the way to go, we kept it open as an option. We used that to discuss with other Ministers and MPs in 1987 and 1988, both the draft Bill as well as the Declaration of Principles.

We felt that the solution was to have a legally binding code. We were aware that we were breaking new grounds. So we looked around at other countries to see how they tackled the problem. Other than Turkey, which has some provisions in its Constitution and Criminal Code on this, no other country has a law along the lines that we envisaged. And because of this we

proceeded ever so carefully. We wanted a law that could deal with the problem in a very fine way instead of having to resort to ISA* or the Sedition Act or to use court prosecution under some other relevant laws to deal with those who cause disharmony through religion.

I have heard of arguments by many MPs over here and also those outside that we should not introduce a Bill because we have already under existing laws the means to enforce discipline if some people were to go beyond the bounds in propagating the religion. If they support the use of the ISA or other laws to enforce what we want to do, then I see no reason why they should not support this Bill because this Bill is intended to be a finer way of dealing with the problem. It is like trying to use a scalpel to make a precise incision to deal with problem cells instead of having to use a chopper to amputate.

This Bill has taken us nearly three years to lay before the House. I think it was a right decision to take not to rush it because religion is a very powerful, emotive subject. It was right that we were very circumspect and very measured in our approach. We cannot risk this Bill being misconstrued as a curb on religious freedom or a curb on the freedom of expression of individuals. So not only had the Bill to be drafted with some care but care had to be taken to explain and satisfy the people as to its objectives and operations.

There is another reason why the Bill has such a long gestation period. I had to convince my fellow Cabinet members and MPs*to come along. Quite a few had reservations initially. I believe the Minister for Home Affairs had lost count on the number of drafts he went through. We have in our Cabinet, in

Parliament. Ministers and MPs of so many different faiths - Christians, Muslims, Buddhists, Taoists, Confucianists, agnostic, no religion, free thinker, Hindus and maybe one or two others. And we had to take into account the reservations and apprehensions of the MPs and the Ministers. They asked the questions which MPs are now asking: Will the Bill be misunderstood? Could the Bill be abused by a less honest government in future? These are very legitimate questions and it shows our concern as a body of politicians over how a Bill can be misconstrued and over abuses of a Bill. And I think it is a healthy trend that we should show such concern. But as we discussed and as we pursued our points, and as we worked and improved on the Bill, a clear consensus emerged. I am glad to say that the White Paper and the Bill reflect the unanimous view of all my Cabinet colleagues. I cannot say, however, whether it reflects the unanimous view of all MPs, the PAP MPs. I know that the Workers' Party MP does not quite agree with this.

The Minister for Law and Home Affairs did consult a cross-section of MPs. Some 30 MPs and all the GPC* Chairmen who were consulted were generally supportive, convinced that we need to do something. But we did not take a head count, so I would not know whether the support is unanimous.

Still, when the Bill was ready last year, we decided not to table it immediately but to publish a White Paper, because we have got to look at the people outside this House who have not yet been consulted. We wanted the White Paper to explain the background and to explain why the Bill was necessary. A draft White Paper was circulated and discussed with various groups - GPC Chairmen, the religious leaders. The Prime Minister met them

and a few other Ministers met them too, and I was also there. And I also personally conducted two dialogue sessions with two different groups of community leaders, some 1,000 of them.

They had made significant suggestions and their suggestions were incorporated into the final White Paper. The changes were accepted, and we were happy that we consulted them because there were useful points made. And this reinforces my personal viewpoint that there are benefits in consultation because in consultation, in the very process itself, we are able to build consensus.

Now that you have got a good sense of how the Bill has evolved and why we took such a long time to evolve this Bill, I want to address one point which seems to trouble many MPs and some people outside this House, that is, for some religions, including Islam and Christianity, religion is a total way of life, and a person cannot compartmentalise his religious life and his political life into two parts. It is not really possible to separate the two halves and I concede that. I agree with that point of view. That it is not easy, and perhaps not possible, to separate our spiritual life from our political day-to-day life because politics and religion represent one's total way of life.

But, nevertheless, we must try, in the context of a multi-racial, multi-religious Singapore. And we must try for the good of all Singaporeans. Let me put it this way. If a religious leader is entitled to his political views, and of course I think he is entitled to his own views, but if he is allowed to use his religion to advance his political views in churches, mosques, or temples, we must allow a politician, who also must be entitled to his own religious views, to use Parliament and mass rallies

to propagate his religious views. In other words, a religious leader has got the right to have his own political views. A politician too is entitled to his own religious faith or views. If you allow the religious leader the right to propagate his politics, you must allow the politician the right to propagate his religion in Parliament, during election time, over mass rallies. So where will that lead us? Can you imagine where it will lead us?

If we try and push our religious beliefs indiscriminately and try to use that to change certain government policies or even governments, then the State and the religion concerned must clash - for we are using the authority of a religion to challenge the authority of the State. First, it will start off as a clash between a religion and the State, and then as the clash develops, it will degenerate into a clash between a religion and perhaps many other religions.

Now, let me explain how this process will come about. Singapore is a multi-religious society. And it will be foolish of any group, any religious group, to think that they can harass and unseat the government without expecting the government to strike back, using a counter religious force, if necessary.

Let us examine the distribution of Singaporeans by religion. The *Straits Times*** conducted a survey in January-February 1988. Christianity or Christians - some 19%. Say, some groups in the Christian faith (I am using this as an example) try to use their faith to harass the Government, to unseat the Government, to get Government to change its policies. Then, the ruling Party or the Government during election time will have to craft its election speeches accordingly, appealing to the majority. Because no

government is going to allow its authority and power to be challenged by another group, using religion for that purpose. And how would the election speeches be crafted? Who are the majority? In Singapore's context, 43% of Singaporeans are either Buddhists or Taoists. And if that force is not sufficient, I think political parties will also look for other religions which are well disposed towards those parties and less well disposed towards the group that were trying to use their own religion to challenge the Government. For example, speeches can also be made aiming at the Muslims and the Hindus to get their support.

Where will this end? It will mean the end of Singapore. Isn't it? I make this point not as a threat, but to urge all Singaporeans to take a practical, commonsensical approach in our religious and political lives. The present situation where there is clear separation between religion and politics is the best and most comfortable for us all. We want to keep it that way.

I was not speaking in the abstract. And just to illustrate the point that I was not painting an imaginary picture, I will quote you some abstracts from a document which ISD found amongst the possessions of Vincent Cheng. I think all of us remember Vincent Cheng rather well.

This is the report from a workshop organised by the Federation of Asian Bishops in Tokyo called the Federation of Asian Bishops Conference in 1986. Its title was "Laity in Politics and Public Service". It is quite an interesting report. I think there are about four or five pages. I have extracted some relevant quotations, and I will go through them to let you get a feel of what they were contemplating and what they believed in. There is no suggestion here that they are up to any

mischief. I think they believe in what you call liberation theology, and this is a document which relates to the teaching of liberation theology.

"The group reflected on situation in different countries of Asia of poverty, injustice, and tyranny in various forms and also on the fact that there is present a great amount of opportunity and freedom to respond to political happenings. ..."

This was in the opening paragraph.

"Politics is not dirty ... It involves organised, purposeful activity for the common good, ... the Catholic is called upon to participate in activity that leads to the common good."

Nothing wrong with that.

" ... As the church in Asia becomes more self-reliant and more mature in its own understanding and as the laity become more aware of their call by God to be living members of the community, concerned with the common good, the hour has come to discern how to become more truly a community concerned with human rights and a people with a clear option for the poor.".

"The local Church's role vis-a-vis governments may have to become more critical and prophetic, ..."

" ... The Church does and should not support [that means, does not and should not support] individual candidates or particular Parties in a public way because of the division this can bring to the community, but there is a need to morally support and challenge politicians to maintain Gospel Values and to be informed of the social teachings of the Church."

Then under the section on "Parties Catholics can Work With" -

"In the political process, Catholics have to connect with, other religions such as Buddhism and Hinduism, with some religious groups who take an adversary position against the Church, with Racial groups or with Marxists. In each case discernment is needed to decide how best to work for the common good without compromising the position of the Church. Cooperation with Hindus and Buddhists has been generally successful. Catholics can help influence them to respond to their needs and can work with them to respond to human rights issues and the needs of the poor. With mixed racial groups, the work of the Church should be to encourage multi-racial parties or activities to work towards reconciliation and to prevent polarization with Marxists. Though Catholics cannot accept Marxist ideology, they can dialogue and work together [that is, the Catholics and the Marxists can dialogue and work together] in a practical way under certain circumstances for the common good. This dialogue and cooperation will require prudence and proper discernment."

How would they respond?

" ... "Active non-violence" is the final point. Catholic teaching adds that when all these means have been exhausted and the tyranny continues, violent response may be a possibility. ..."

In other words, they preach active non-violence. But, if necessary, violence can be used. Under the section on "Church and Partisan Politics" -

" ... the whole Church must be involved in political activity which means organized, purposeful activity for the common good ..."

This document is an example of what liberation theology teaches.

Liberation theology advocates the involvement of the Catholic Church in the political arena to protect human rights and advance the common good. It was spawned in Latin America and found its way to the Philippines a few years ago. It was a rationale for religious organisations to enter the political arena to challenge the government. It legitimised political activism under the cover of the church.

Some liberation theologians preach the gospel of violence, struggle and revolution. In other words, not all, but some do. Given the conditions in the countries where liberation theology originated, ie, in Latin America, we can understand why many religious thinkers felt impelled to do something about human conditions in this world, and not just for the next world.

The Singapore Government does not presume to judge the rights and wrongs of liberation theology or of their movements in other countries. It is not within our means or within our right to judge whether they are right or wrong. All we are saying is whether it is wise to practise this in Singapore, whether it is good for Singapore and whether the practice of liberation theology in Singapore would not lead us to ruins.

Because if we allow the Catholics to be involved in politics as a church, we must allow the Buddhists, the Muslims, the Hindus to do likewise, and all others who want to use their religion to advance their political purposes or to use religion to get into the political arena to advance their religious faith to do so. In Burma, the Buddhists monks were involved in politics. In Sri Lanka, they too were at the forefront fighting against the Jaffna Tamils and the Hindus.

If religious leaders in Singapore apply force on the Government, it will be a no win situation. Because the Government will enlist the help of those religions well-disposed to it. There will be strife and Singapore will end up worse than Northern Ireland and Lebanon, because in these two countries, at least the people are all Irish or Arabs. Here, we are not of the same race.

It is indeed difficult to separate spiritual life from political life. Having said what I have said, I come back to the basic point that it is indeed difficult to try and separate the two. It is not a new problem. I think church versus state has been a problem for centuries. We studied the history of England, history of the church in Europe. It has been a running battle over many centuries. But we can try and separate the authority of the religion from the authority of the State. I think that is a bit easier, keep the two authorities separate. What we are trying to do in Singapore is actually to follow the American example where the church and State are kept separate.

Let me conclude by saying that Singaporeans are free to believe in whatever religion they choose so long as they do not go overboard and engage in activities which can cause disharmony

or which can lead to disorder. They are free to engage in politics whatever their religious faiths. It is their right to do so as individuals. If they think that the Government is bad or evil, they should throw out the Government through the ballot box as individuals. That is what elections are all about. That is why we hold elections regularly and fairly. It is a non-violent constitutional way of changing governments. And this is the best safeguard against abuses of this Bill when it becomes law because any abuses of the law will be highlighted by politicians and that government will lose support during elections.

If we observe the simple rules of live, and let live, and keep religious authority separate from state authority, there will be peace and harmony among Singaporeans of different religions and different political persuasions. This is what the Bill seeks to achieve. In a sense, this Bill is a recognition of a retrogression, or potential deterioration, in religious harmony. The Government takes no joy in introducing it. I take no joy in speaking on this subject. It is not something which we are very proud of. We introduce it more in sorrow than with joy. It is to prevent us from sliding backward. It is an act aimed at preserving common sense and harmony.

1.37 pm

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List of Abbreviations

*GPC - Government Parliamentary Committee
ISA - Internal Security Act
ISD - Internal Security Department
MCD - Ministry of Community Development
MPs - Members of Parliament
NUS - National University of Singapore

** The Straits Times is the largest English newspaper in Singapore

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MAINTENANCE OF RELIGIOUS HARMONY BILL

Order for Second Reading read.

1.10 pm

The Minister for Home Affairs (Prof. S. Jayakumar): Mr Speaker, Sir, I beg to move, "That the Bill be now read a Second time."

Sir, the rationale for this Bill has in fact been set out in quite a comprehensive manner in the White Paper entitled "Maintenance of Religious Harmony" which was presented to Parliament dated 26th December 1989. What I propose to do this afternoon is to highlight and reiterate some of the more

important points in the White Paper as well as to draw attention to the main scheme in the Bill.

Perhaps I should start off by reminding ourselves what kind of a society are we, what kind of a nation Singapore is. We are a young nation, small country, densely populated and we are not a homogenous society, because we are made up of different races, languages and religions. As far as religions are concerned, we have in Singapore all the great religions in the world represented - Buddhism, Taoism, Islam, Hindu, Sikhism and many denominations of Christianity. No single religion can be said to be the dominant religions, nor is any religion an official religion of the State because Singapore is strictly secular.

We have been fortunate that over the years we have had religious freedom and religious harmony. Is religious freedom and religious harmony just a desirable ideal, a lofty principle to be enshrined in the Constitution? The answer is no. For us, it is vital for our survival as a nation. It is essential for our stability and law and order. But can we be sure that the religious harmony and tolerance that we have had over the years can be preserved? Why does this question arise? It arises if we observe what is happening around the world and if we take note of what is happening in Singapore. First, let us look at the international context. What is happening elsewhere? If we just take the news over a period of two or three months - we do not have to go back much further - it is a sad tale because the news is full of examples of many countries which are experiencing violence, strife, disorder, because of inter-religious tensions and conflicts. In India, Muslims against Hindus, Kashmir and

other cities. Elsewhere in India, Hindus against Sikhs. Sri Lanka was once held up as a model of peaceful coexistence of different religions. Now a holy war is taking place there. Fiji, always regarded as a tranquil, idyllic Pacific nation, no one would have imagined any such problems arising there. What happens? Suddenly, Sikh temples, Muslim mosques, fire bombed. Lebanon, we are all familiar with the perennial problems there, not just between different religious groups but within one religion there are different rival groups. Northern Ireland, Protestants and Catholics. Philippines, Muslims and Christians. And Muslims against Muslims in the Iran/Iraq war. The list is endless, Sir, with Armenia, Azerbaijan and so on.

Compared to Singapore, these countries are older societies, larger countries and more well-established nations. Yet they have inter-religious strife. They are torn apart by the conflicts. How about us? Singapore, in our tiny corner of the world, what is so special about us that we can assume that we will always be an exception.

Let us consider the local context and there are two factors. First, the heightened religious fervour amongst all religious groups. This heightened fervour and increased competition has made the search for new followers more intense, but this is part of the worldwide trends. We cannot be isolated. But this trend increases the possibility of friction and misunderstanding among different religious groups. Why? Because religion is a deeply felt matter. When religious sensitivities are offended, emotions are quickly aroused and it takes only a few incidents to inflame passions and kindle violence. The second factor, Sir, is that while the majority of religious

leaders and the majority of followers of religious groups are conscious of the need to be tolerant, the need to be sensitive in our multi-religious and multi-racial society, there are some persons whose conduct can cause considerable tensions and problems for us. These are listed in the Annexe to the White Paper. For example, you have a Muslim priest denouncing Christianity as the most foolish religion. Surely that is going to upset Christians. Then you have Christian groups pasting posters announcing a forthcoming seminar outside a Hindu temple. Is that wise? Then Protestant pamphlets denigrating the Roman Catholic church and the Pope. Surely they would take great offence and umbrage. So considering what is happening in other parts of the world, taking note of what is happening here, it is obvious that religious harmony is a fragile matter. It needs careful nurturing and it will be a folly to assume that it will always be there. Therefore, conscious efforts are needed by religious groups, religious leaders and their followers to ensure that nothing jeopardizes it.

There are really two factors: (1) That followers of different religions must exercise moderation and tolerance, and not to instigate religious enmity or hatred. (2) It is important that religion and politics be kept separate. Let me take the first issue, which is that of religion and religion. As the White Paper highlights, the main problem here is that of insensitive, aggressive religious proselytisation. We all know, Sir, that the Constitution guarantees the freedom to propagate one's religion. The question is, how do we go about it? If we denigrate other faiths, there will be consequences. It is necessary to avoid insensitive and aggressive efforts. There is

a need, of course, to point out, in the process of propagating religion, differences between one's religion and another's. But it is an entirely different matter to denounce other religions. For example, as is spelt out in the examples in the Annexe to the White Paper, should one say that another person's religion is a greater threat to mankind than communism? Would you expect the leaders of that religious group to take it calmly? Again another example. To say that the head of the Catholic church, the Pope, is the anti-Christ, will that not upset and provoke strong emotions amongst Catholics?

Next, Religion and Politics. Why we should be concerned, it is spelt out in the White Paper. Sir, we must bear in mind that religious leaders and leaders of religious groups, in the eyes of their followers, have a special status. They are regarded as being closer to God than anyone else. They may be specially anointed or ordained and their words have a tremendous emotional effect on their flock. If religious leaders enter politics, they must view matters from a religious perspective. There will be emotional appeals in the name of religion and their followers will believe them and their words as interpretations from a divine authority above.

Sir, when one religious group involves itself in this way in political issues, it must follow that other groups will do the same. And various groups will want to outdo each other. Then again, when that happens, what would the party in power, or for that matter all other political parties, do? Can they be expected to be quiet? Surely they will look for religious groups and their flocks to back them up. The end result surely is obvious. It is inevitable that there will be collision between

the different religious groups and the Government leading to instability and conflict. It is extremely important therefore that priests and other religious leaders do not mix religion and politics and mount political campaigns.

The need for legislation. Coming to this Bill, one may ask, why legislate? In turn, I have to pose this question, Sir. Can we assume that everyone will act with prudence, moderation and sensitivity? Because if that is so, then I think we can conclude that there is no need to do anything and no need to legislate. But our problem is not with the majority of religious leaders and not with the majority of members of religious groups. It is a problem of a minority number of mischievous, irresponsible people. The compilation shows you enough examples to demonstrate that this is not a theoretical or hypothetical solution. But though they may be few, they can cause great harm not to just one religious group but to the very fabric of our society. To contemplate passing laws after the harm has been done will be too late because tensions would have arisen, violence might have erupted, people might be killed, deep feelings of resentment and considerable intense wounded feelings would divide our society for a long time.

Sir, we must have some mechanism to curb such elements. It is far better to put in such laws and mechanisms now when relations between religious groups are good than later. And what kind of legislation? What we need is a device that will enable prompt and effective pre-emptive or preventive action to be taken which can quickly defuse a potentially explosive situation. It must be prompt and effective.

Let me now turn to the provisions of the Bill, Sir. I do not intend to go clause by clause. Instead I wish to draw attention to the main scheme of the legislation and the Bill really has the five following features. First, it establishes a Presidential Council for Religious Harmony. Second, it sets out the conduct or acts which we should regard as harmful. Third, it enables prohibition orders to be issued. Fourth, it describes the persons against whom such orders can be issued. And fifth, it sets out the procedure which must be followed when such prohibition orders are issued.

First, the Presidential Council. The idea of establishing such a formal body in the law was in fact proposed in the report published by the Ministry of Community Development. The Bill envisages that the composition of the Presidential Council should be a Chairman and a maximum of 15 other members to be drawn from the representatives of the major religions in Singapore, but there would also be persons who can be appointed who have distinguished themselves in public service or community relations. In other words, the Council will have religious leaders plus lay leaders. Why lay leaders? As explained, it is to complement the perspectives of the religious leaders and also to represent the many Singaporeans who do not belong to any organised religious group. There will be a special function as well as a general function. The general function is to consider and give their views on matters generally affecting religious harmony in Singapore which may be referred to it by the Government. The special function it has is with regard to the proposed prohibition orders for any particular individual.

The Bill sets out what is a conduct which it should be concerned with. This is spelt out in clause 8. I will not repeat them verbatim but basically there are four categories. One, where a person causes feelings of enmity or hatred between different religious groups. Second, under the guise of religion or propagating religious activity, one carries out political activities for promoting a political cause or a cause of any political party. Third, carrying out subversive activities under the guise of propagation of religion. Fourth, exciting disaffection against the President or the Government of Singapore. I might explain here, Sir, that this term "exciting disaffection" in law is a well-known concept which is found in more than one precedent in Singapore, such as the Sedition Act. It is also to be found in Article 149 of the Constitution and it has many precedents in other Commonwealth countries. Basically, it connotes action taken by anyone to instigate and to provoke the feelings of disloyalty or hatred against an established government.

The third feature of the Bill is the concept of prohibition orders. In other words, what should be done when a person engages in such harmful conduct? Should we detain him immediately under the Internal Security Act? Or should we immediately prosecute him under one or other of the existing laws which could conceivably apply, which must result in a court conviction if he is found guilty, and therefore a sentence of a fine or imprisonment? If the conduct is so serious and so dangerous, perhaps that extreme measure may be necessary. It could be necessary and justified. But in many cases, we think a less severe remedy would suffice. Because what is necessary

is prompt action to stop him from repeating that act, conduct or speech. Because if he does so again, then it will only exacerbate matters. There will be further counter-attacks and retaliatory measures, and the situation will get out of hand. Hence, the Bill has this concept of a prohibition order. In other words, it puts him on notice that he should not repeat that act or conduct. And only when he repeats and violates the specific terms of the prohibition order can he be prosecuted in a court of law, in which case the Court will decide whether he is guilty or not guilty of a breach of the prohibition order. In other words, Sir, what has been crafted into this Bill is in fact a more limited measure than either resorting to the Internal Security Act or prosecution in a court of law. We think this will meet the problem.

Against whom can such prohibition orders be issued? This is spelt out in clause 8. Obviously, it must apply to any religious leader of any religious organisation. But it is also possible that a non-member of that religious group, a person outside the religious group, could try to cause similar mischief by instigation or manipulation. Therefore, the Bill provides in clause 9 that such persons can also be the subject of a prohibition order.

Next, the Bill provides procedures to be followed. Before making a prohibition order, the Minister must, first of all, serve notice of his intention and he must serve this notice of his intention to the individual concerned as well as to the head of his religious organisation. Both the individual and the head of the religious organisation are to be afforded the opportunity to give their views and representations. For example, the

individual can explain or argue why the order should not be made. At the same time, the Minister must also send the proposed notice and notify the Presidential Council for Religious Harmony, which also can give its views. A two weeks' deadline is provided. After receiving the views, the Minister has to have regard to them before he makes a decision whether to make the order or not. After an order is made, the Minister has still to send the order to the Presidential Council for Religious Harmony, together with all the representations the Minister has received from the individual heads of the organisations. Although the order has been made, the Council can recommend whether it should be modified, completely rescinded or revoked, and the Minister is to have regard to their views.

Sir, the intention is that the Government seek views and advice from a body, the Presidential Council, which will have considerable moral authority. Because it will not only have representatives of the religious groups from which the individual has come from, but it will be composed of other representatives of other religious groups.

If I may sum up, Sir, I can repeat what I said at the outset. We really have a choice of whether to do something, enact this law or not to enact this law. So the question is: should we do something now or let things be? That is indeed a course of action that is open to us. But of course, Sir, there is a risk and a heavy price to be paid, and many countries are now paying the price. Or is it better to take note of the danger signs and put in place now legislative controls and measures which can enable us to nip problems in the bud whenever

individuals engage in such irresponsible, senseless acts that endanger our religious harmony?

The Government recommends that we do not take the risk, and that is the approach in the White Paper and in the Bill, because far too much is at stake. Religious harmony is fundamental not just for one or more religious groups. It is vital not just for members of religious groups. It is vital for all Singaporeans because if there is religious strife, all of us are going to be affected.

Finally, Sir, I would like to say that this legislation has not been hastily rushed through. We have been deliberating on the matter for more than 2½ years. In fact, the first draft of the Bill was prepared in June 1987. This is a delicate and sensitive matter. During this period, we have consulted MPs of different faiths, both in the previous Parliament and in this Parliament. We have consulted religious leaders of different religious groups as well as grassroots leaders on the basis of earlier drafts of the White Paper. In all these discussions, we received many significant suggestions for improvement which we have accepted. What these changes are, some of them are reflected in the White Paper and consequentially in the Bill.

For Members' information, I might point out, for example, changes which are mentioned on page 20 of the White Paper. Originally, in the earlier draft of the White Paper, it was not the Presidential Council for Religious Harmony. It was a National Council of Religious Harmony. In one of the discussions, Archbishop Gregory Yong gave us his suggestion that it should have a higher status - that it should be a Presidential

Council for Religious Harmony. We accepted that change and it is now reflected in the Bill.

The Mufti of Singapore, Syed Isa bin Mohd Semait, wanted clarification that the proposed legislation will be consistent with Articles in the Constitution, such as Articles 152, 153. The White Paper accordingly was suitably amended because there is no inconsistency.

Then, some others from the Methodist, Bethesda (Bedok-Tampines) Church, Dr Benjamin Chew, and Bethesda (Frankel Estate) Church, Prof Ernest Chew, and others recommended that the White Paper should also emphasise the importance of respecting common values and the right of each individual to accept or not to accept a religion. You will find that this has also been incorporated in the White Paper.

Others such as Dr Chan Ban Leong, Chairman of the Christian National Evangelism Commission Board, Mr Sat Pal Khattar, member of the Hindu Advisory Board, proposed that the notice of intended probibition order should be sent to the Council at the same time it is sent to the individual. The earlier draft of the White Paper, as it then stood, required the Presidential Council to be involved only after the order was made. Now we have changed it so that we have accepted the suggestion and it is referred to the Presidential Council. These are some examples of the changes which were made.

In conclusion, Sir, the Government has not closed its mind to further suggestions for improvements. Therefore, so that there can be further opportunity to receive views on the provisions of the Bill, I would like to say that the Government intends to submit this Bill, to a Select Committee.

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